JOURNAL

OF THE

ADJOURNED SESSION OF THE SENATE,

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY, THE SIXTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1869, AND OF THE COMMONWEALTH THE SEVENTY-EIGHTH.

1871

FRANKFORT, KY:
PRINTED AT THE KENTUCKY YEOMAN OFFICE.
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OF

THE SENATE OF KENTUCKY.

WEDNESDAY, JANUARY 4, 1871.

The Senate, in pursuance of adjournment, met this day, was called to order by the Lieut. Governor, and, on a call of the roll, the following Senators were present and answered to their names, viz:

Mr. SPEAKER (Leslie),	J. H. Dorman,	W. L. Vories,
Joseph M. Alexander,	Edwin Hawes,	Ben. J. Webb,
R. A. Burton,	G. A. C. Holt,	Emery Whitaker,
J. Q. Chenoweth,	William Johnson,	I. C. Winfrey,
Wm. L. Conklin,	A. C. Vallandingham,	Thos. Wrightson—16.
G. W. Connor,		

It being ascertained that there was not a quorum present, on motion, the Senate was declared adjourned until 10 o'clock to-morrow.

THURSDAY, JANUARY 5, 1871.

At 10 o'clock, A. M., the Senate met in pursuance of adjournment, and, on a call of the roll, the following Senators were present and answered to their names, viz:

Mr. SPEAKER (Leslie),	Lyttleton Cooke,	Oscar Turner,
Jos. M. Alexander,	J. H. Dorman,	W. L. Vories,
R. A. Burton,	Edwin Hawes,	Ben. J. Webb,
John G. Carlisle,	J. B. Hayden,	Emery Whitaker,
W. H. Chelf,	G. A. C. Holt,	I. C. Winfrey,
Wm. L. Conklin,	William Johnson,	Thos. Wrightson—20.
G. W. Connor,	John W. Johnson,	

Mr. H. A. Tyler, the Senator elect from the First Senatorial District, to fill the vacancy occasioned by the resignation of the Hon. W. Lindsay, appeared, produced a certificate of his election, was qualified, and repaired to his seat.

Mr. Lewis Perrin, the Senator elect from the Twenty-second Senatorial District, to fill the vacancy occasioned by the death of the Hon. I. T. Martin, appeared, produced a certificate of his election, was qualified, and repaired to his seat.

A message was received from the House of Representatives, announcing that they had met, organized, and were now ready to proceed to legislative business, and also announcing the fact that they had been appointed to act in conjunction with a similar committee, to be appointed by the Senate, to wait upon the Governor for the purpose of ascertaining whether he had any communication to make to the Legislature.

On motion of Mr. Cooke, a committee was appointed, consisting of Messrs. Cooke, Holt, and Chelf, to inform the House that the Senate had met and organized, and were now ready to proceed to business, and to inform the House that they were appointed as a committee, to act in conjunction with a similar committee on the part of the House, to wait upon the Governor and inform him that the General Assembly was now ready to receive any communication he might have to make.

After a short time, Mr. Cooke, from the committee, reported that they had discharged the duty imposed upon them, and were informed

by the Governor that he would, in a few minutes, lay before the Senate a communication in writing.

A message was received from the Governor by Mr. Churchill, Secretary of State, which was taken up and read as follows, viz:

Fellow-Citizens of the Senate and House of Representatives:

I avail myself of the occasion afforded me by the last annual message which I shall ever address to the General Assembly of Kentucky, to tender to you my greetings on the auspicious opening of another new year.

I give you joy on its advent! I offer to you individually my best wishes for your success, prosperity, and happiness during this, and, I trust, for many succeeding years.

It hath pleased God to bless our Commonwealth with health, plenty, and peace during the past year. While we devoutly thank Him for these, and many other unnumbered mercies, let us humbly invoke His continued guidance, mercy, and protection.

The great length of my message addressed to you at the beginning of your last session renders it unnecessary that I should do more now than to repeat briefly some of its most important recommendations.

FINANCES.

The annual Reports of the Auditor and Treasurer exhibit a satisfactory statement of our financial condition.

During the fiscal year ending 10th October, 1870, the Commissioners of the Sinking Fund have redeemed and canceled bonds of the Commonwealth amounting to two hundred and thirty-four thousand four hundred and sixty-five dollars.

The entire State debt (exclusive of the school bonds) amounted, upon 10th October, 1870, to $1,424,394. Of this amount, $68,394 is now past due. On that sum interest ceased to be paid since maturity. This outstanding indebtedness is represented by State bonds as follows:

Bonds bearing 5 per cent. interest due May, 1865	$5,000 00
Bonds bearing 5 per cent. interest due April, 1867	5,000 00
Bonds bearing 6 per cent. interest due July, 1868	15,000 00
Bonds bearing 6 per cent. interest, maturity not given	394 00
Bonds bearing 6 per cent. interest due November, 1870	43,000 00
	$68,394 00

That portion of the debt not due is represented by the following bonds:

Bonds maturing in 1871	$340,000 00
Bonds maturing in 1872	230,000 00
Bonds maturing in 1873	319,000 00
Bonds maturing in 1874	136,000 00
Bonds maturing in 1875	20,000 00
Bonds maturing in 1876	2,000 00
Military bonds, bearing 6 per cent. interest, due in 1895	309,300 00
	$1,424,394 00

Our Sinking Fund resources to meet this indebtedness are:

Balance in the Treasury 10th October, 1870	$403,805 21
Add amount belonging to the Sinking Fund, but not transferred	32,558 81
Add amount loaned by Sinking Fund to Kentucky River Navigation Company	10,000 00
Add 7,789 shares Bank of Kentucky stock, at par	778,890 00
Add 400 shares Bank of Louisville stock, at par	40,000 00
Add 260 shares of preferred stock of Louisville, Cincinnati, and Lexington Railroad	26,000 00
Add 2,178 shares stock of Lexington and Frankfort Railroad, estimated at 50 cents	103,900 00
Add bonds of Louisville and Frankfort Railroad	74,519 50
Add turnpike road stock held by State in various turnpikes in Kentucky, amounting to $2,544,359 65—estimated at cash value	254,433 96
Add amount loaned by Commissioners of Sinking Fund under several acts of the Legislature to Revenue Department proper	815,179 98
	$2,539,297 46
From which amount deduct State debt outstanding 10th October, 1870	1,424,394 00
Leaves an excess of resources of Sinking Fund over State debt of	$1,114,903 46

I have not included in this estimate the balance still due by the Government of the United States on advances made by Kentucky during the war, which, by the report of the Quarter-Master General, is stated at $1,193,761 86. Whatever is realized from this claim will increase the handsome excess of the resources of the Sinking Fund over and above the indebtedness of the Commonwealth.

REVENUE PROPER.

Amount received from sheriffs from 11th October, 1869, to 10th October, 1870	$707,301 41
Amount received from corporations	217,300 70
Total receipts	$924,602 11
Add balance in Treasury on 10th October, 1869	72,148 82
	$996,750 93
Amount of expenditures for the fiscal year ending 10th October, 1870	1,082,639 92
Leaving a deficit on 10th October, 1870, of	$85,888 99

This deficit was caused by extraordinary appropriations made by the Legislature for which no provision was made at the time, and which, to the amount of $172,243 66, has been paid out of the revenue proper.

These payments on extraordinary appropriations were as follows:

Deaf and Dumb Asylum, act approved 7th January, 1870	$1,000 00
Barren Bridge Company, act approved 20th January, 1869	5,000 00
Cave City sufferers, act approved 20th January, 1870	5,000 00
Fire-proof Offices, act approved 2d February, 1869	40,500 28
Feeble-minded Institute, act approved 1st February, 1869	13,652 00
Same act, approved 10th February, 1870	4,230 00
House of Reform, act approved 15th February, 1869	10,961 40
Kentucky River, act approved 16th February, 1870	100 00
Licking River, act approved 10th March, 1869	53,592 65
Library for the Kentucky Penitentiary, act approved 2d March, 1870	253 55
North Fork Kentucky River, acts approved 1st March, 1869, and 20th January, 1870	4,954 95
Public books for destitute counties, act approved 16th March, 1869	29,703 83
Remains of General Henry Crist, act approved 19th January, 1870	1,250 00
Remains of Governor L. W. Powell, act approved 9th March, 1868	750 00
Visitors to foreign prisons, acts approved 3d and 10th March, 1870	795 00
Wolf Island, resolution approved 12th January, 1869	500 00
	$172,243 66

The payment of these extraordinary appropriations out of the current revenue for the last fiscal year has caused the excess of our expenditures over the receipts, and leaves the deficit as reported by the Auditor on 10th October, 1870, of $85,888 99.

A large amount of these extraordinary appropriations are still outstanding and unpaid. Among these items of indebtedness are the following:

Balance of the original appropriation for the construction of fire-proof buildings, act approved 2d February, 1869	$35,152 02
Original appropriation for House of Reform, act approved 15th February, 1869	28,000 00
Big Sandy river, act approved 10th February, 1870	75,000 00
North Fork Kentucky river, acts approved 1st March, 1869, and 28th January, 1870	245 05
Feeble-minded Institute, acts approved 1st February, 1869, and 10th February, 1870	7,554 75
American Printing House for the Blind, act approved 3d June, 1865. Blind Asylum, act approved 11th March, 1870	14,000 00
Western Lunatic Asylum, act approved 4th March, 1870	7,500 00
Amount carried forward	$177,451 82

Amount brought forward	$177,451 82
Remains of Gov. L. W. Powell, act approved 9th March, 1868	750 00
	$178,201 82
To this sum must be added an estimated balance still due for public books for destitute counties, which will probably reach	15,000 00
	$193,201 82

I again repeat my recommendation, made in my last annual message, that a wise financial policy eminently demands that provision should be promptly made for the payment of all extraordinary appropriations by the Legislature which grants them. It is the only safe way to avoid financial embarrassment.

The present indebtedness of the Revenue Department proper to the Sinking Fund was created by a disregard of this salutary rule. The first loan of three hundred thousand dollars was made of the Sinking Fund in 1861, and a further loan of three hundred and fifty thousand dollars in 1867, and further loans in 1868 and 1869—all under authority of law, to meet pressing exigencies of the State Treasury to supply deficits in the Treasury existing at the respective periods named, caused by the deficiency of the annual receipts to meet extraordinary legislative appropriations, in addition to the current expenditures of the State Government.

The estimates of the Auditor for receipts and expenditures during the past, as well as for the present fiscal year, show, that the present annual revenue receipts, at the present rate of taxation, are not more than sufficient to meet the current ordinary expenses of the State Government. We cannot rely on means from this source to pay off the balance due on outstanding appropriations already made, or to repay to the Sinking Fund the sum loaned to the Revenue Department proper.

Other necessary extraordinary appropriations will be required this winter to complete public buildings already commenced.

It is possible that the amount which we hope to receive from the United States on the war claim will discharge and liquidate the loan due by the Revenue Proper to the Sinking Fund. I recommend, however, that provision be promptly made for the outstanding appropriations now due and unpaid, and such others as may be required to be made this winter. A very slight increased rate of taxation for a brief and fixed period would be ample to meet this indebtedness. It is a responsibility which should be promptly met.

Economy is a cardinal virtue in every free government. Our common constituency have a just right to expect and demand of their Representative and Executive agents alike a vigilant prudence in all appropriations, and a strict fidelity in the disbursement of the public money. The people of Kentucky are, however, too liberal ever to stint themselves by a niggardly policy, which would withhold their prompt approval of every legislative appropriation demanded by an enlightened and humane public polity in the administration of State affairs.

Our revenue system calls loudly for revision and reform. Its present defects are glaring and patent. The constitutional requirement of uniform and equal assessments of taxable property is almost wholly disregarded. A proper and equal assessment of property throughout the Commonwealth would double its value. It is assessed at one sixth or one tenth of its value in some sections of the State, while in others it is returned at three fourths or four fifths. Some assessors adopt a specie, others a currency standard. Flagrant injustice to the tax-payer, and a diminished amount of revenue, are the natural results of existing inequality in assessments. Great irregularity exists, also, in the collection and payment of the revenue.

I suggest for your consideration an enactment creating a board, to consist of the Auditor, Treasurer, and Attorney General, who shall prepare and report to the next General Assembly a codification and revision of all the revenue laws of the Commonwealth, with power to frame a system which shall equalize assessments, increase the revenue, and regulate its prompt collection. Such a report would be attended with inconsiderable cost, and could not fail greatly to remedy existing evils in our revenue system.

I recommend that the Commissioners of the Sinking Fund be empowered to sell the turnpike stock belonging to the State.

A considerable loss has already occurred from non-action upon this subject, in consequence of the depreciation in the value of that species of property. As railroads increase, turnpike stock must decline. It is estimated by the Auditor that more than a quarter of a million of dollars can now be realized from a sale of this stock, and applied to the redemption of State bonds. A still further depreciation must follow. It brings in little or no revenue. So large an amount should not be lost from a failure to provide for its speedy

sale. The Commissioners of the Sinking Fund should be authorized to loan on call money on hand upon State or United States securities.

INSURANCE BUREAU.

I am gratified to inform you that the Insurance Bureau, created by a law at your last session, was fully organized on the 20th of May, and is now in successful operation. The Auditor of State, upon whom the selection of the Commissioner of Insurance devolved, has been eminently successful in securing for that position the services of GUSTAVUS W. SMITH, a native Kentuckian, who brings to the faithful discharge of the duties of this responsible trust industry, energy, ability, and worth. His valuable and instructive Report, which will be laid before you, shows him to be thoroughly versed in the theory and principles of life assurance, and fully vindicates the truth of the statement, that a better selection could not have been made.

There are now one hundred and fifty-two insurance companies operating in this Commonwealth. Of these, sixteen were incorporated by the Legislature of Kentucky, one hundred and fifty-one by other American States, and five by foreign governments. In addition, four Kentucky companies have ceased to do business, and gone into liquidation; and four others are reported as declining to do business.

When we remember that two thousand millions of dollars are estimated as already invested in the purchase of policies issued by insurance companies, whose operations are daily expanding everywhere; that the practical operation of life assurance companies have been heretofore involved in mystery; it must be a source of profound satisfaction to the people of Kentucky that a Bureau has been successfully established within the Commonwealth, under the sanction of law, where, by accurate calculations of competent and faithful actuaries, any policy-holder can promptly acquaint himself with the real condition of the affairs of any company; the extent of its business; the actual cash value of policies issued; and what constitutes a fair premium for any proposed contract of insurance; and yet this Bureau—so invaluable as a safeguard against fraud, ignorance, and imposition—has been put into successful operation without the increased expenditure of one dollar to the State.

EASTERN LUNATIC ASYLUM.

I herewith submit the annual Report of the Eastern Lunatic Asylum. It sets forth the condition and requirements of the institution.

I have received no reports from the Western Lunatic Asylum, the Deaf and Dumb Asylum, or the Institution for the Blind. As soon as they are received I will submit them.

FEEBLE-MINDED INSTITUTE.

The annual Report of this charity has not been received. The additional wing has been put up and covered in, and adds greatly to the general appearance of the building.

PENITENTIARY.

I regret to inform you, that, upon the 1st of October last, at a quarter past twelve o'clock, P. M., a fire occurred in the Penitentiary, by which the northern portion of the large three-story building, known and used as the hemp department, was destroyed, together with the engine, hackles, looms, chain-wheels, filling-wheels, heating pipe and calendar contained therein. A quantity of hemp belonging to the present Lessee was also consumed.

By the prompt and efficient exertions of the Fire Department of Frankfort, which are entitled to the highest commendation, the western half of the building was saved.

None of the convicts escaped, and many of them behaved with marked propriety, and exerted themselves in extinguishing the fire.

All efforts to ascertain with certainty the origin of the fire have, up to this period, failed. The estimated loss to the Commonwealth will not exceed thirty-seven thousand dollars. I submit the report of the Inspectors of the Prison, detailing the incidents of this calamity.

The law imposing the duty on the Commissioners of the Sinking Fund of rebuilding, in the event of a fire in the Penitentiary, limits their appropriation of money for that object at ten thousand dollars. They advertised for proposals to reconstruct, within the stated period, a building, in all respects similar in dimensions and material to the one destroyed. The lowest bid was that of Messrs. Haly & Brawner. They proposed to reconstruct one described in the proposals within forty days, for $14,999, to accept of the Commissioners' ten thousand dollars as the work progressed, and to look to the General Assembly for the balance of their bid.

In view of the large number of convicts who, in the event of not rebuilding, would be without employment, and the equitable abatement which the present and prospective Lessee might justly demand on that account in the rental they had agreed to pay to the State,

the Commissioners deemed it expedient to rebuild, and awarded the contract to Messrs. Haly & Brawner on the terms proposed. They have completed the building within the time, and upon the terms stipulated, and there is due them, in addition to the amount already advanced by the Commissioners, the further sum of $4,999; for which I recommend an appropriation.

The number of convicts in the Penitentiary on 1st January, 1871, was 680. Of these, 645 are males and 35 females. The number received during the past year was 319. The number discharged on time during the year was 192. The number of deaths during the year was 20. Of the whole number of convicts, 366 are white, and 314 are colored. The number of convicts is increasing so rapidly that I suggest whether the area of the prison, with a view to health, should not be increased, by taking down one of the walls and inclosing more ground already owned by the Commonwealth.

The Report of the present Lessee will soon be laid before you, and, I doubt not, will exhibit the same judicious and humane management of the institution which I have every reason to believe has hitherto marked his administration of its affairs.

I should fail in the discharge of my duty if I did not earnestly repeat my sincere conviction of the absolute necessity for a thorough change and reformation of the existing prison system, as urged in my last annual message.

HOUSE OF REFORM.

I submit the Annual Report of the Commissioners appointed to superintend the erection of the State House of Reform. The original appropriation for the construction of the building was thirty-eight thousand dollars, of which twenty-three thousand has been paid. The building will be completed and ready for use by the 1st of July. It will accommodate from seventy-five to one hundred boys. Five thousand dollars additional is reported as necessary to supply the heating apparatus and fixtures to the building. I recommend that prompt provision be made for this sum, together with the balance of the original appropriation outstanding and unpaid. Kentucky will then boast of another imposing structure, most advantageously located, dedicated to a long needed and most beneficent charity.

NATIONAL CEMETERIES.

I have the honor to lay before you a communication from the Secretary of War, requesting the legislative assent of this Com-

monwealth to the purchase by the United States of the National Soldiers' Cemeteries at Louisville, Lexington, Danville, and Frankfort.

Similar assent as that now asked for was yielded by Kentucky to the United States as to the National Cemeteries at Camp Nelson, Lebanon, Mill Springs, Perryville, and London, by an act approved 9th March, 1867. I recommend that its provisions be extended to the cemeteries designated in the letter of the Secretary of War.

STATE CLAIM AGAINST THE UNITED STATES.

The amount collected during the past year on the debt due by the United States to this Commonwealth is $173,884 57. The amount still due is $1,193,761 86, which will be further increased by amount of expenses of Quarter-Master General's Office, assumed by the Government of the United States.

A bill has been introduced by Senator Morton, and is now pending in Congress, to pay interest on State war claims. Should it become a law, ours will be increased three quarters of a million. Our Senators and Representatives will doubtless give it their earnest support. The act of Congress repealing the general appropriation of July 21, 1861, for the payment of State war claims, takes effect on 30th June, 1871, and necessitates extraordinary exertion in our efforts to collect the balance which is due us before that period.

Since the act passed by you and approved 15th March, 1870, touching the State Agency, the Quarter-Master General of Kentucky has spent a large portion of his time in Washington, and given his active personal supervision to the settlement of this debt. I should be derelict in my duty if I failed to express the high commendation which the Commissioners of the Sinking Fund believe to be so justly due to him, not less for his exertions in pressing the collection than in the success which attended this effort.

The Commissioners of the Sinking Fund did not exercise the authority conferred upon them by the act approved March 15th, 1870, as to the appointment of an agent to assist in the liquidation of this claim. It is self-evident that the efficiency of any agent must greatly depend on an intimate knowledge of our whole claim, its history, the proof taken in support of its various items, and the precedents established by the Treasury Department in former adjudications and settlement of similar claims. None possessed this knowledge to the extent of the Quarter-Master General, and his

presence was therefore essential at Washington. If aid was required, the Quarter-Master General would be better informed than the Commissioners as to what particular point and at what particular time such aid might become necessary. The Commissioners of the Sinking Fund will prepare and submit an act amendatory of that of March 15th, 1870, which I have no doubt will meet your approval.

LABOR AND EMIGRATION.

I again respectfully recommend the establishment of some agency through which foreign capital and labor may be induced to seek investment and settlement in this Commonwealth. The want of labor is beginning to be seriously felt, and we must look to the teeming hosts daily leaving the Old World to find a home in the New, to increase our population and supply our wants.

This can never be accomplished unless some step is taken to acquaint emigrants, before leaving their own country, with the advantages offered by Kentucky as a place of permanent settlement. A very moderate expenditure would establish an Emigration Bureau at home, and send agents abroad who could not fail in their efforts to increase largely our farming population, and to supply the present demand for mechanics and laborers.

It is through such a channel alone that we can make Europe accurately acquainted with the low price of our lands, under which lie such inexhaustible supplies of valuable coal and iron; our forests of lumber; our healthy climate; low rate of taxation; our extensive and expanding system of public schools; and the productive character of our soil.

In this connection, I beg leave to submit a most interesting letter received from Blanton Duncan, Esq., a prominent gentleman of this State, who is now abroad, and whose experience from a long residence in Europe entitles his suggestions to high consideration.

An Emigration Convention was called by a large number of the Governors of the Western and Northwestern States, to be held at Indianapolis, in Indiana, on 21st November last, and to which I was strongly importuned to accredit two delegates from Kentucky. Without any authority, save the request of one or two of the Governors calling the said Convention, I appointed Robt. W. Scott, of Franklin, and Dr. R. J. Spurr, of Fayette, as delegates to said Convention. The former was prevented by ill health from attending. Dr. Spurr attended, and has forwarded to me a most interesting report of the proceedings of said Convention, which I herewith submit.

LAW AND ORDER.

It becomes my duty to call your attention to the necessity of prompt and more stringent legislation for the more perfect preservation of law and order. While, in the main there is, perhaps, as much security for life and property in Kentucky as in the adjacent States, it cannot be disguised that since the close of the war, and as a kind of outgrowth of it, lawlessness has, to a greater degree than ever before, displayed itself everywhere. During and immediately following the war, Kentucky, from its geographical position as a border State, was subjected to a more severe ordeal from this cause than her neighbors; and accordingly, during the first years of my administration, lawlessness, in some portions of the Commonwealth, manifested itself in formidable organizations, which defied the local authority, and perpetrated deeds of open violence under pretext of regulating order and punishing crime. By the use of the militia at my command, and the exhibition of my firm purpose to suppress such practices at all hazards, tranquility was restored, and there has not been for some time, in the localities which had suffered from such lawlessness, any demonstrations having the semblance of organized resistance to the law. Still, in various portions of the State, there have been committed by lawless persons, acting in bodies, generally under cover of night, and sometimes in disguise, acts of violence upon individuals, either wholly innocent of offense or only subjects of criminal prosecution through the courts, most of which class of violators of the law have escaped detection and punishment.

To a too frequent exhibition of combined lawlessness, which it is equally unjust and pernicious to ascribe to *political* causes, and which should receive the prompt condemnation of good men of all parties, and the countenance and apology, however indirect, of none, I must add a painful frequency in the occurrence of acts of individual violence, resulting in death. To the causes and remedies in both classes I invite your careful and earnest consideration, feeling assured that, should your meeting together result in no other consummation than the correction of the evils alluded to, you will have conferred an inestimable service upon the State; for with the recurrence of such acts, and the eager publicity with which they are heralded abroad with magnified horror, the prosperity of the Commonwealth receives a continued check in preventing the flow of immigration and capital, which shrink from venturing within limits where life is represented to be so insecure.

Within the sphere of my official power, I have labored earnestly to correct these evils. As the head of the Executive Department of the State, I am charged with the duty of seeing that the laws are executed, and that violations thereof are punished; but there is a wide-spread ignorance thoughout the State as to the means possessed by me, or at my command, for the successful performance of this public duty. The power of the Executive in this particular is not commensurate with his responsibility. The practical execution of the laws is with the local civil authorities, who are responsible directly to the people, and over which the Executive has no more power or control in the initial redress of the law than a private citizen. The only warrant I can issue for the arrest of criminals, save in the extradition of fugitives, is in the nature of a reward, limited by law to five hundred dollars, and only then upon the petition of the County Judge or some designated civil officer. In every instance in which crimes have thus been officially brought to my notice, I have not failed promptly to respond, and aid by my proclamation for the arrest of offenders.

The other agency at my command, in the suppression of violence or in the execution of the law, is through the militia of the State. In its use I am, however, quite as much restricted as in the matter of proclamations. My authority extends no further than to order out the militia of a county, upon the application of the local authority setting forth the necessity of their use in support of the civil power, or in case of imminent danger of riot. The same authority is vested in the judges of the various courts, and the sheriffs and mayors of cities. Upon several occasions, when applied to, I have ordered out the local militia, but, without authority, in ordinary cases, to act, except in response to the call of the local officers charged with the execution of the laws, little good has resulted in these latter cases, save in the moral effect of such demonstrations.

What is the most efficient remedy for the suppression of these growing evils rests exclusively with you. Whether in the establishment of a well-organized police system, under an efficient head, or in some other way, must be determined by the law-making power. I am quite sure that no measures can be completely successful without conferring upon the Executive additional discretionary power, in any sudden emergency, to act, where the public security requires it.

MILITIA.

In this connection I desire to repeat my suggestions, as set forth in previous communications, for the absolute necessity of a thorough reorganization of the militia as an important adjunct in the enforcement of law. The highest duty which the State owes to the citizen is to encircle his individual right and interests with the solid safeguard of absolute legal security. No man is free who is not protected from injury. The necessity of a State militia to the safety and good order of society has never been questioned. Its establishment is enjoined by the Constitution, and its effective organization should be provided for by law. Our present statutes are notably deficient, and require thorough revision. The bare knowledge of the fact that a disciplined and active volunteer militia, thoroughly drilled and equipped, was ready at a moment's warning, upon the call of the Executive, to maintain the law and protect the individual from any lawlessness which would trespass upon his rights, would of itself be a terror to the law-breaker. With the single view as an auxiliary to aid me in the execution of the law, I have sought to make the militia as effective as possible by an encouragement of the volunteer system, authorizing, upon proper legal application, the organization of such companies as, existing without pay, should become disciplined to arms, and be ready at the call of the civil authorities to maintain the law. When called into active service they receive the same pay as soldiers of the United States Army, and are subject to similar regulations. The arms of the State are issued upon the execution of satisfactory bond for their safe-keeping, which constitutes the only contribution made by the State towards their organization. Their further equipment is wholly a matter of private expense. Much of the additional expense required to render our system thoroughly effective, without cost to the State, could be realized from a proper system of fines for failure to attend ordinary militia duty, and for which there is now no provision.

The organization of these volunteer companies was at one time, during the past summer, made the subject of severe criticism on political grounds, and I was urged by gentlemen of high character, and entitled to my respect, to disband them, and withdraw the State arms in their possession. I was satisfied that this appeal rested on a total misapprehension of the objects and purposes of the organization, and did injustice alike to the militia and myself. I declined to disband, and have endeavored to demonstrate, as far as has been in

my power, that the organization looks only to the highest good of the State, as the impartial conservator of the peace in conjunction with, and in subordination to, the civil authority. Whatever may be the political views of the members, they are not political adherents to whom arms have been distributed. I have neither known or inquired into the political opinions of any who have organized and applied for arms. No such test has been, or ever will be applied, during my administration. Their mission is a higher one, and the object of their organization seeks a far nobler end. They are the citizen-soldiers of Kentucky, whom I would inspire with the conviction, irrespective of all political bias, that they constitute the conservators of law and order in peace, as they are to be the defenders of her honor in time of war, should the necessities of their country ever demand it.

I refer you to the Adjutant General's Report, which will be laid before you, for the details of the volunteer organization existing in the State.

COMMON SCHOOLS.

I commend to you the able and well-digested Report of the Superintendent of Public Instruction, published since your adjournment. The appreciation by the people of Kentucky of the necessity of a thoroughly organized and complete system of instruction of the masses has been fully vindicated in their ready supply of a school fund amply sufficient, now, to place our common schools on a solid and permanent basis. I refer you to the interesting details and statistics of this report, and warmly recommend its suggestions.

JUDICIAL SALARIES.

I respectfully suggest that an increase in the salaries of the Circuit Judges would seem to commend itself as a measure demanded by the highest considerations of public policy, not less than by the strongest claims of intrinsic justice.

The rates of living, and all the necessaries of life, have advanced greatly since the present salaries of the Circuit Judges were fixed. The price of labor has been doubled. Salaries and wages in every condition of life have been largely advanced. By what standard shall it be deemed just to continue judicial salaries at a rate which scarcely supports the judge, and pay him that pittance in a depreciated currency?

I pass over the arguments deduced from the necessity of an independent and fearless judiciary. They are strong and well known.

But I beg leave to suggest, that while the Government of the United States is paying its Supreme Judges $7,500 per annum, we are paying ours but four thousand, and our Circuit Judges but little over half the sum last named. In this hour, when centralization is encroaching upon the rights and local self-government of the States, are they less in need of fearless, able, independent judges, than the Federal Government? Are they less willing or less able to pay an adequate compensation? It is a reflection upon the people of Kentucky to say that they are unwilling to pay the judicial officers good salaries.

If we would keep men of mind and influence true to their State, and in its service, let not the State be niggardly to her judges.

FEDERAL RELATIONS.

My views upon the Fifteenth Amendment to the Constitution of the United States, and the policy of its adoption, were fully expressed when I submitted it for your action. They have undergone no change.

Since your adjournment, it has been officially declared to have been ratified by the requisite number of States, and to have become a part of the Federal Constitution. The validity of its adoption is a question which belongs alone to the judiciary.

Two general elections have occurred in Kentucky since the declaration of its ratification. The large class of persons whom this amendment clothed for the first time with the right of suffrage in this Commonwealth, exercised that franchise on both occasions with unrestricted freedom. The testimony from every portion of the Commonwealth justifies the statement that a more quiet and orderly Congressional election has never occurred than that which took place in this State in the month of November last. Whether further legislation is required for the purity or freedom of elections, may well be submitted to your consideration.

CIVIL RIGHTS BILL.

The argument of the cause now pending in the Supreme Court of the United States directly involving the validity of the act of Congress, known as the Civil Rights Bill, would have taken place during the first week in December last but for the indisposition and absence of the Chief Justice of the United States. It is expected to be heard before a full bench during the early part of next month.

Soon to retire from the Executive Chair, and to dissolve my connection with the State Government, I cannot close this communication without bearing my willing testimony to the fidelity, zeal, and industry with which all the duties have been performed by those associated with me in the different agencies of the State Government during my administration of its affairs.

I shall carry with me in my retirement a grateful recollection of the friendship and courtesy which has always marked our official relations and rendered them so agreeable.

Assuring you of my cordial concurrence in all measures tending to promote the welfare of our beloved Commonwealth, I earnestly trust your deliberations and action may tend to the prosperity and happiness of her people.

J. W. STEVENSON.

DOCUMENTS ACCOMPANYING GOVERNOR'S MESSAGE.

Report of Inspectors of the Penitentiary.

FRANKFORT, KY., October 3d, 1870.

To His Excellency, Gov. Stevenson:

SIR: It becomes our duty to report to you a very destructive fire that occurred in the penitentiary on Saturday, 1st inst., at a quarter past 12 o'clock, P. M.

The bell had sounded for dinner; the prisoners had left their shops, and a majority of them entered the dining-hall, when the first alarm was given. In the eastern portion of the yard was the large three-story building, extending from north to south, and occupied exclusively for the hemp department—containing rooms for the storage of such an amount of hemp as is needed for immediate use, hackling, chain-walks, looms, calendar, engine, and appliances. It was in this building that the fire originated—being first discovered in a lot of hemp on the first floor, and to the right of the door entering the hemp room, near the northern end. The Keeper immediately ordered to their cells all the prisoners, with the exception of a few of the more trusty ones, whom he retained in the yard to give the necessary assistance for the occasion. The Fire Department of the city was very promptly on hand with the steam fire engine, and rendered most valuable and efficient service—saving the entire

southern end of the building (nearly one half), containing a larger portion of the looms and two chain-walks on the second and third floors. Their conduct was admirable and highly appreciated.

The Surgeons of the institution—Drs. J. L. & W. H. Phythian, and Dr. R. W. Wilhoit, house physician—were promptly at their posts watching the hospital, which was in great danger from the apprehended falling of the northern wall of the building on fire.

In accordance with the order of Gen. Johnston, Capt. Thompson, commanding the Valley Rifles, was speedily on hand with his company, and surrounded the walls, guarded the gate, and prevented any attempt at escape or outbreak. The whole affair was most admirably managed in all the details, and in the space of an hour all danger from the spread of the conflagration or further damage was completely removed.

As to the cause of the fire, it is not possible to state at the present moment. Suspicion, of course, is strong toward incendiarism; but this must constitute no part of an official report, and we would only say on this point that a most rigid investigation has commenced, and will continue without intermission until we can arrive at a definite conclusion, which in due time will be announced to you. Nothing that the utmost tact, care, and ingenuity can accomplish shall be spared to attain the desired end.

As a consequence of the disaster, four hundred and twenty-seven (427) prisoners were thrown out of employment. The Keeper is now making arrangements, by the erection of temporary structures, for the employment of two hundred and fifty out of the above number.

In regard to the losses sustained by the Keeper and the State, we give *approximate estimates:*

LOSS OF THE KEEPER.

1. Fifty tons of hemp in store.
2. Five tons of hemp in process of manufacture.

Valuation, $200 per ton.

3. Expenses of maintaining the prisoners out of employment.

LOSS OF R. B. HAMILTON & CO., LEXINGTON.

Twenty-three tons of hemp, stored with Capt. Todd, for manufacture—value $200 per ton.

LOSS OF THE STATE.

1. Over one half of the building; a portion of the brick, however, can doubtless be used in re-erection, and we give approximate estimate at $25,000.

2. Engine and heating pipes.
3. One hundred and fifty feet of shafting with pullies.
4. Eighty hackles.
5. Seven looms.
6. Fifty-six chain-wheels.
7. Sixty filling-wheels.
8. One calendar.

Approximate estimate, $20,000.

We would earnestly recommend that immediate steps be taken to repair the loss to the State, by erection of the building and replacing the machinery. A competent architect should at once be employed to inspect the walls and make the necessary plans for the work. If done now, before unpleasant weather sets in, we have no doubt, as already expressed, but that a large quantity of the brick will be found serviceable; if delayed, however, and exposed to the rains and snows and freezing of winter, the damage the brick would sustain must necessarily enhance the cost by new ones being required.

We are specially requested by Capt. Todd to state, that, under no circumstances, would he contract for the work Only a few months of his term remain, and he is desirous of closing up its legitimate business, without involving it in any complication or with additional undertakings. He will, however, hire to the contractor labor at a very reasonable price, and see that the laborers discharge well their duty.

Very respectfully,

J. M. MILLS,
GEO. A. ROBERTSON,
RICHARD SHARP,
Inspectors Kentucky Penitentiary.

FRANKFORT, KY., October 11th, 1870.

To His Excellency, Gov. Stevenson:

SIR: In our report respecting the fire that occurred in the penitentiary on the 1st inst., we recommended an immediate re-erection of the burnt building. Since that time we have made further inspection, and would now urge the necessity of complying with the recommendation. The larger portion of the brick can be used in the construction; and we have reason to believe, that, if the work is entered upon at once, it can be completed before the commencement of cold weather. An additional reason is, that it can be done at a far

less cost than if delayed, and thus be a step of true economy on the part of the State. Competent contractors can be found who will undertake the work, and the Keeper of the Prison can hire, at a reasonable cost, the necessary labor and give the necessary supervision. Having the aid right at hand, the contractor could be greatly facilitated as to time, and be enabled to comply more certainly and speedily with his obligation.

Very respectfully,

J. M. MILLS,
RICHARD SHARP,
GEO. A. ROBERTSON,
Inspectors Kentucky Penitentiary.

Report of Commissioners to Superintend the Erection of the State House of Reform.

To His Excellency, John W. Stevenson, Governor of Kentucky:

In discharge of our duties as Commissioners for the erection of the State House of Reform, we have caused to be erected, in Jefferson county, near Hobbs' Station, a building 136 by 61 feet, with slate roof, in form of a double "T," four stories high, including stone basement, containing thirty-three rooms, exclusive of halls for stairways, corridors, &c.

This main building, or Congregate House, will, when completed, cost about $38,000 (amount already appropriated), except heating apparatus, cooking range, &c. Said house will accommodate from seventy-five to one hundred inmates, and, with some other additional buildings, which will become necessary hereafter to make, will accommodate from three hundred to three hundred and fifty boys.

We would earnestly recommend to the Legislature to make an additional appropriation of $40,000, to put up three buildings next year—two to be used for what are called family houses, and the other one for work-shops. This, we think, indispensably necessary to put the institution in working order.

The main building can be made ready for the reception of inmates by the 1st day of July next, if an additional appropriation of $5,000 can be had for the heating apparatus, cooking range, laundry fixtures, &c. We herewith submit a statement of the amount of money received and paid out:

Cash received from Treasurer, from time to time, as per order of Board----	$23,000 00

Cash paid out to date:	
To Isaiah Voys, Architect, for plans and specifications	$100 00
To W. H. Redin, Architect	40 00
To W. N. Haldeman, advertising for contract	72 00
To Eli Gaar, cutting and delivering 448 cords wood for brick kiln	739 80
To M. Krupp, moulding and burning 900,000 brick	4,478 00
To Alex. Sinclair, stone contractor (to date)	4,950 00
To J. B. Montgomery & Co., contractors (to date)	12,541 86
To interest paid Bank of Kentucky	78 34
	$23,000 00

The above shows total receipts and disbursements up to this date, December 28th, 1870.

S. L. GAAR,
A. C. VALLANDINGHAM,
R. C. HUDSON,
Commissioners.

Letter from Secretary of War in regard to National Cemeteries.

WAR DEPARTMENT,
WASHINGTON, D. C., August 10th, 1870.

To the Governor of the State of Kentucky, Frankfort, Ky.:

SIR: In compliance with section two of the act, entitled "An act to amend an act, entitled an act to establish and to protect national cemeteries," approved July 1st, 1870, requiring me to do so, I have the honor to inclose a copy of the act referred to, with the request that you make application, at as early a date as practicable, to the Legislature of your State, for its consent to the purchase by the United States of the national soldiers' cemeteries at Louisville (Cave Hill), Lexington, Danville, and Frankfort, Ky.

I have the honor also to state that the United States have already jurisdiction and power of legislation over the following national soldiers' cemeteries in your State, viz: Camp Nelson, Lebanon, Mill Springs (near Logan's Cross Roads), Perryville, and London; ceded to and vested in the said United States by an act of the Legislature of the State of Kentucky, approved March 9th, 1867.

I am, Governor,
Very respectfully,
Your obedient servant,

WM. W. BELKNAP,
Secretary of War.

AN ACT to amend an act, entitled "An act to establish and protect National Cemeteries."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from the time any State Legislature shall have given, or shall hereafter give, the consent of such State to the purchase by the United States of any national cemetery mentioned in the act, entitled "An act to establish and protect national cemeteries," approved February twenty-second, eighteen hundred and sixty-seven, the jurisdiction and power of legislation of the United States over such cemetery shall in all courts and places be held to be the same as is granted by section eight, article one, of the Constitution of the United States; and all the provisions of said act of February twenty-second, eighteen hundred and sixty-seven, shall be applicable to the same.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of War to cause copies of this present act to be sent to the Governors of all such States wherein any of such national cemeteries may be situated, to the end that the Legislatures of such States may give the consent herein mentioned.

Approved July 1, 1870.

Report of Dr. R. J. Spurr, Delegate to Immigration Convention at Indianapolis, Indiana.

LEXINGTON, KY., December 17th, 1870.

Gov. J. W. Stevenson:

DEAR SIR: Herewith I hand you my report on Immigration Convention at Indianapolis and upon its bearing upon our State. I have had to prepare it from memory, but I feel assured that all its statements are substantially correct.

If there is anything in it worthy of public attention, you can dispose of it as indicated in yours to me under date of 10th inst.; if not, give it to the flames; it is at your disposal.

However feebly I may have dealt with the subject in the accompanying paper, it is, nevertheless, one of vast importance to us; and should our Legislature, this winter, desire to examine into the subject, any assistance which I may be competent to give to them will be cheerfully done.

Hoping our Legislature may look kindly upon this matter, and cherish it, I am, sir,

Most respectfully yours,

R. J. SPURR.

To His Excellency, J. W. Stevenson, Governor of Kentucky:

DEAR SIR: Having been appointed by you a delegate from Kentucky to the Immigration Convention at Indianapolis, which was held on the 23d ult., I attended said convention in virtue of said appointment—being the only delegate from this State present—and respectfully report—

That the call for the convention was made by the Governors of several of the Western and Northwestern States, for the purpose, as stated in the call, of devising some plan of remedying existing frauds and abuses to which the immigrant is subjected in landing in this country, and in transit to his place of destination. I would not be understood to intimate, in anything which may follow in this report, that the Governors calling the convention did not do so in good faith, and for good purposes; but having felt constrained to cast my vote against the programme adopted, I feel it due to you, as well as to myself, to give you the reasons for so doing: First, the political bias of the members of the convention. Excepting New York and Kentucky, all the delegates for the States at large were appointed by Republican Governors; and their appointees were, probably, without exception, or with but few exceptions, in political accord with the appointing power; hence our other political party was but feebly represented in the body, and these few soon saw, from the united assault upon the delegates from New York, appointed by Governor Hoffman, that, whatever might have been the humanitarian purposes of those calling the convention, it had fallen into the hands of those who had joint purposes to accomplish, which purposes were not the good of the immigrant or the well-being of the whole country. It so happened, accidentally or otherwise, that land and railroad monopolies had a very large representation in the body. So much was this the case, that your delegate often heard the remark made, that it was a convention in the interest of certain railroad and land monopolies, for the purpose of turning the entire tide of immigration into certain channels, to settle up the princely domain granted by Congress to railroads in the Northwest, to aid in their construction, and thus to enhance the value of those lands, and give princely estates to the owners thereof.

Whether this remark was well founded or not, the facts were well calculated to arouse unpleasant suspicions. 2. Since the organization of the Federal Government, it has never undertaken to control the reception of the immigrant upon our shores, nor his transit upon

land to his place of destination; but has wisely, as it seems to the undersigned, left it to be regulated and attended to by the States interested, and to benevolent immigration societies. In the past, some abuses may have, and probably did, exist; but these have, in the progress of time, as a more enlarged experience has been gained, been remedied; and if frauds and abuses now exist, your delegate feels assured that it is not the fault of the Commissioners of Immigration at the ports of entry, but is clearly traceable in the main to the harpies in the interest of different monopolies.

The action of the convention looked to a radical change in this whole matter. The following resolution was adopted, among others, by a vote of ayes 72, noes 5—not voting, but present, 12: "*Resolved*, That, in the opinion of this convention, a Bureau of Immigration should be established under the auspices of the Federal Government." This little resolution has a very innocent and benevolent look about it; but your delegate, possibly erroneously, thought otherwise. To understand this fully, it is necessary to make a statement of what is contemplated by the resolution.

At the ports of entry where immigrants are landed, the ships landing them are required to pay to the Commissioners of Immigration a *per capita* tax, in lieu of a bond that none of the immigrants so landed shall become a charge to the State or municipality where landed. This tax at New York city is $2 50 per head; at Boston, it is, I believe, the same upon all those who do not at once leave the State. These, as a general thing, are those who are unable to go on, and become a charge either to the city or State. In Massachusetts the past year, the cost, above the capitation tax collected for taking care of the sick, insane, paupers, and indigent immigrants, was but little short of half a million of dollars. It is proper to state that the Commissioners of Immigration at the different ports of entry receive no part of the capitation tax as a salary; but that every dollar of it, and much more, is expended in the interest of the immigrant. It is now contemplated by the resolution of the convention to invite and urge upon the Federal Government to take the whole control of this subject, forbid in the future the levying and collecting of any tax, directly or indirectly, from the immigrant; the institution of a Federal Bureau, to take the sole control of this matter, not only at the ports of entry, but upon every train or steamboat engaged in the transportation of the immigrant inland to his place of destination. All the

expenses of the army of Federal officers thus created to be paid from the Federal Treasury, together with all charges for taking care of the sick, insane, indigent, and paupers. All this looks very nice as a humanitarian movement, and is well calculated to make a favorable impression upon him for whom the lavish provision is made, and attach him unwaveringly to the party who shall accomplish such a benevolent purpose in his behalf. But there are considerations of economy and State policy, which should be pondered well, before we consent to give our adhesion to this scheme. 1. The present tendency of the Federal Government is to centralization, and to strip the States of those rights once thought to be guaranteed by the Federal Constitution; *this* scheme is intended to be one more step in the same direction. 2. It looks to a large increase of the army of office-holders, already enormous. 3. It proposes the expenditure of many millions of dollars to do a work which probably is now better done, and without charge. 4. It contemplates the establishment of a *Bureau*, to extend its ramifications to every part of the nation, whose mandates, if necessary, will be enforced by Federal authority. This of itself would have been sufficient, to have deterred your delegate from voting for the proposition, as our State had in the past sufficient experience with Federal Bureaus. These are some of the more prominent objections to the scheme adopted by the convention; many others of minor importance might be set forth; but it seems to me that the foregoing are sufficient to give an understanding of the whole concern.

I now propose to lay before your Excellency some suggestions indicating what I believe to be the true policy of our State in relation to this subject. The first proposition which presents itself to the mind is, whether or not it is our policy to encourage immigrants to come among us. It would seem to be important that we should maintain our relative position among the States in the councils of the nation. Appearances would now seem to indicate, that in the next apportionment for Federal representation; if made upon the basis at present existing, Kentucky will lose one member in the House of Representatives; and this will occur notwithstanding our whole negro population is counted in the next apportionment. If in the future we have to depend upon natural causes for an increase of population, we will find at the end of each decade that we have lost representation and influence in the councils of the nation, while

other States, by absorbing the entire tide of immigration, will grow into colossal power. Nor is this all; wherever the immigrant shall make his home, there he will be educated in the political views of the people among whom his lot is cast. 2d. Population is wealth and power. We have territory and resources sufficient comfortably to sustain four-fold the population we now have. If this was properly settled by a large population of industrious people, the untold millions of wealth now lying dormant in our State would be developed, and in the progress of the nation we should maintain our proper position; our mines of coal and iron would be effectively worked, furnaces erected for the purpose of reducing the iron ore, manufactories established to prepare and fashion the products of the furnaces to all the purposes which the wants of civilization might require. Our forests would be filled with the sound of the ax and hum of the saw, preparing its vast treasure for the benefit of the human family; railroads and other means of inter-communication would be established in every direction; our towns and cities would have new life infused into them, new ones would spring up, and we should be a great and prosperous people. We have the elements to become a great manufacturing people, a fertile soil producing great abundance of food, coal, lumber, iron, and stone in inexhaustible quantities; what we want is enterprise and skilled population. The agriculturist is especially interested in this great matter, for it would give him, at his door, a market for all his products, which experience has shown to be the best the world can furnish.

The next point which presents itself is, if it be our policy thus to attempt to keep pace with other States, by developing our great resources through a large increase of our population, how can it be done? Now, sir, here comes the sticking point with us. Without designing to reflect in the least degree upon our past legislation, or more properly non-action upon this subject, it has now come to this: "If the mountain will not come to us, we must go to the mountain;" or, in other words, we must do those things which other States are so successfully doing; indeed, we have more to do, for we have first to remove the prejudice existing in the minds of many of the people of foreign States against us, the result of long-continued misrepresentation and slander towards us and other Southern States, by those interested in preventing immigrants seeking homes in our midst. Other States appoint a Board of Immigration, with power

and means to keep an agency in Europe, and also agents at the principal ports of entry where the immigrant lands. These agents are furnished with a liberal supply of the statistics of the State, showing the prices of lands, demands for labor, agricultural resources, mineral wealth, &c. By this means many have direction given to them as to their point of destination before they leave their homes in the old country. We have no proper conception of the competition that is constantly going on, to induce the immigrant to go to this place or to that; and if it is our purpose and policy to enter into this arena, it will cost us some money. Is its importance such as to justify us in its expenditure? This must be answered by those to whom is intrusted the welfare of the State. I was informed by one of the Commissioners of Immigration at the port of New York, that if the programme of the Indianapolis Convention is adopted and carried out by Congress, then that Kentucky would have to look elsewhere than to northern ports for an increase of her population by immigrants; that railroad and land monopolies would always be able to offer to them inducements that States having no public lands or large land monopolies would be able to do. It has impressed me that there is a sufficient number of other States that are placed in the same attitude with us to justify the hope that a port of entry will be opened upon the Chesapeake Bay, and I believe that I can say at this writing that the prospect is flattering that we will soon have direct communication with Norfolk and Baltimore; in the meantime, it is our duty to be up and doing. Our State Board of Agriculture, by a little assistance from the State, might be required to gather, prepare, and publish the necessary statistics. There is one point of which we should not lose sight, if we engage in this enterprise, and that is, that, in inducing immigrants to come to our State, our great object is to make citizens of them—a people of our own race.

Very respectfully,

R. J. SPURR.

Letter from Colonel Blanton Duncan to Governor Stevenson.

LEAMINGTON, August 28, 1870.

Governor J. W. Stevenson, Frankfort, Ky.:

MY DEAR SIR: Since my arrival in Europe I have made many inquiries relative to labor and emigration, and it is a source o

regret that Kentucky has failed to enact such legislation as would have enabled her to seize the present favorable opportunities, the like of which I am afraid will never again be offered.

As you are aware, the Convention of last October provided for the appointment of a committee, whose duties would be a proper presentation of the signal advantages offered by the Southern States to capitalists and emigrants. Ex-President Fillmore was named as the chairman thereof; but owing to the illness of Mrs. Fillmore, he was unable to come. He has therefore done me the honor of substituting me in his place to discharge the duties which he could have done with so much more ability and influence, from the prestige of his high position and his world-wide reputation as a statesman. You were kind enough to ask me to represent Kentucky's interests whenever I could do so, and, as it is always a labor of love to advance and promote her prosperity, I shall cheerfully, on all occasions, demonstrate her superior resources and advantages. It would be impossible for me to invite the emigration of laborers and mechanics, whose scanty means would barely suffice to land them within our borders. Until an organization is effected, upon the basis of providing employment for such on arrival, or a depot wherein they can have temporary shelter and sustenance until employers come forward to take them, it would be the basest inhumanity to hold out to them any inducements to leave their old homes, where, if they are poor, they can yet manage to live in comparative comfort. The more study I give to the subject, the better I am convinced that the only true method of conducting immigration is by means of State aid and the co-operation of district and county organizations, such as I suggested to the Legislature last January. The State will have control, and can so shape it as to produce the greatest benefits. Influential men will be induced to take the lead, and the demand and supply of labor will go hand in hand.

At present I am in correspondence with a number of leading gentlemen here, who have at heart this serious question of providing for the surplus amount of skilled and industrious labor, which cannot find full and remunerative employment. By means of the Chambers of Commerce of Liverpool and other large cities, I could easily secure large audiences to whom the facts could be presented, and the cordial invitation could be tendered to make their homes in our

State and others of the South. But that would be too laborious and occupy too much time, and therefore I shall probably seek the more efficient method of embodying all my information in a letter to some of the Peers and members of Parliament of my acquaintance, and obtain its publication in the leading journals, so as to send it broadcast into every hamlet of the kingdom. There are hundreds of thousands of the best material of men and women ready and eager to emigrate, if the methods are pointed out and the necessary aid given.

Other States have seen the advantages and the wealth which good citizens pour into their borders, and several Southern Governors have requested me to call attention to their systems. In England there are many organizations for the purpose of inducing emigration to their own colonies, and the emigrant is sent free to his destination. The advantage which you would possess in making similar proposals is, that you are so much nearer to England, and the cultivated country would have more attractions than the wilds of Australia, so many thousands of miles away. The cost to the government is eighty dollars in gold to send an emigrant to Queensland. To Kentucky it would be only forty dollars, currency.

It is unnecessary for me to estimate the value of skilled labor to us in Kentucky during the transition now going on, and the probable diminution year by year of our late laboring class. Everybody knows and feels the loss, and those of good judgment perceive the vital importance of preparing a substitute. The organizations now at work in England for the colonies send all kinds of emigrants free, and provide for them temporary shelter, in the government depot, with sustenance, until they can be provided with places. At any time within a month after arrival, a free passage is given, on any of the railroads, to such points as they desire to locate in. And, to secure full protection, all single women are placed under the care of a permanent matron on the voyage and after arrival. The emigrants, excepting those who go out to act as female domestics, sign an agreement, before sailing, to reimburse the government within two years, and upon repayment of the £16 they receive forty acres of land for each grown person, and twenty acres for each child between one and twelve years of age. Those who choose to pay £4 in advance sign an agreement to return £12 in a year, and have the same allotments of land. The government assures them of

speedy employment in various callings—mechanics and skilled labor at from $2 to $3 per day in gold; shepherds, $125 to $200 a year, with rations; grooms, $200 to $250; farm servants, $125 to $150; servant maids from $100 to $200. The rations given are eight pounds of flour, twelve pounds of beef, two pounds of sugar, one quarter pound of tea, to man and wife, or one half to single persons.

The war now raging affords an additional argument for us. We have no powerful neighbors, no possibility of entanglements, no danger of conscriptions to take off the laboring population from peaceful pursuits to offer them up in bloody holocausts to the god of war. Every European nation, with its colonies, is liable to these dreadful complications and evils. Where will emigration to the United States now go from? The fields from which such teeming crops were gathered by the Northern States will be barren in future years.

There will be no surplus population in Germany for the next ten years. The dead, the maimed, and the useless population, rendered so by the camp disease and consequent destruction of health, will reach not less than 500,000 male adults before the close of the war. Their families, dependent upon them, will certainly be not less than a million. The labor market will be so depleted that there will be ample occupation for every remaining laborer in the German States, and their governments would feel bound to throw obstacles in the way of continued emigration.

From Sweden and Denmark only limited supplies can be obtained, and the younger States will not be dilatory in sending agents to England to secure the splendid elements of population awaiting invitation and assistance.

The United States did not feel the terrible losses of the war so much, because a great proportion of the Federal army was of foreigners, and the deaths were speedily compensated for by the enormous immigration. In the South those gaps are yet unfilled; but they, too, will soon seek for English labor. Will it not be unwise in Kentucky to neglect legislation which would enable her to keep pace with other States, and to compete with them in development of resources and the completion of internal improvements? I have too much respect for the intellect of public men in Kentucky to think that they will overlook her true interests, or that they will fail, in the next session of the Legislature, to take proper action.

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I will be glad to hear from you whenever convenient, and will endeavor to make practical use of any suggestions that you may advance.

Yours truly,

BLANTON DUNCAN.

On motion of Mr. Vallandingham,

Ordered, That the Public Printer be, and is directed to print, four thousand copies of the foregoing message for the use of the Senate, and envelop and stamp the same.

Leave was given to bring in the following bills, viz:

On motion of Mr. Whitaker—

1. A bill to amend the charter of the town of Nicholasville.

On motion of Mr. Carlisle—

2. A bill to establish a chancery court for the counties of Kenton and Campbell.

On motion of Mr. Vallandingham—

3. A bill for the benefit of certain turnpike roads in this Commonwealth.

On motion of Mr. Carlisle—

4. A bill to amend an act, entitled "An act to establish a criminal court in the 9th judicial district."

On motion of Mr. Wm. Johnson—

5. A bill to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21st, 1868.

On motion of Mr. Turner—

6. A bill abolishing the court of common pleas in certain counties in the 1st district.

On motion of same—

7. A bill changing the time of holding the circuit courts in the 1st judicial district.

On motion of Mr. Conklin—

8. A bill to amend the act incorporating the town of Litchfield.

On motion of Mr. Wm. Johnson—

9. A bill to amend section 26, chapter 80, of the Revised Statutes.

Ordered, That the Committee on the Judiciary prepare and bring in the 2d, 4th, 6th, 7th, and 8th; the Committee on Internal Improvement the 3d; the Committee on Education the 5th; the Committee on Courts of Justice the 9th; and that a select committee, consisting of Messrs, McAfee, Chenoweth, and Wm. Johnson, be requested to prepare and bring in the 1st.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill in relation to the Bardstown and Louisville Railroad Company.

By Mr. McAfee, from a select committee—

A bill to amend the charter of the town of Nicholasville.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Holt,

Ordered, That a committee be appointed, whose duty it shall be to request the House of Representatives to appoint a committee, to act in conjunction with a similar committee appointed on the part of the Senate, to wait upon the Governor, and request the withdrawal of a bill which originated in the Senate, entitled

An act to amend and reduce into one the several acts in relation to the town of Murray, and for other purposes.

Whereupon, Messrs. Holt and Connor were appointed said committee.

And then the Senate adjourned, to meet again at 10 o'clock, A. M., to-morrow.

FRIDAY, JANUARY 6, 1871.

A message was received from the House of Representatives, announcing that they had passed bills which originated in the Senate of the following titles, viz:

An act to amend the charter of the town of Nicholasville.

An act in relation to the Bardstown and Louisville Railroad Company.

And that they had passed a bill, entitled

An act to incorporate the Louisville Ledger Printing Company.

Which bill was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Whitaker, from the Committee on Education—

A bill to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21st, 1868.

By Mr. Wm. Johnson, from the committee on Courts of Justice—

A bill to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Vallandingham read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses of this General Assembly will, on Tuesday, the 10th day of January, 1871, at 12 o'clock, M., proceed to elect a Public Binder; and if on that day there should be no choice or election, the two Houses will, on each successive day, at the same hour, continue to proceed with the same until said office is filled.

On motion,

Ordered, that said resolution be referred to the Committee on the Judiciary.

Mr. Alexander read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That in observance of the time-honored custom of celebrating the anniversary of the battle of New Orleans, the Quarter-Master General be requested, at 12 o'clock, M., on Monday, January 9th, to fire a national salute in honor of January 8.

Which was twice read and adopted.

Mr. Conklin offered the following resolution, viz:

Resolved, That the Committee on the Sinking Fund be instructed to inquire into the propriety of passing a law empowering the Commissioners of the Sinking Fund, by the advice and consent of the Governor, to sell the turnpike stock belonging to the State, and that they report to the Senate by bill or otherwise.

Which was adopted.

Mr. Wrightson offered the following resolutions, viz:

1. *Resolved*, That so much of the Governor's message as relates to finances of the State and the Sinking Fund be referred to the Committee on the Sinking Fund.

2. That so much thereof as relates to the revenue of the State, be referred to the Committee on Finance.

3. That so much thereof as relates to the Insurance Bureau, be referred to the Select Committee on Insurance.

4. That so much thereof as relates to our benevolent institutions, be referred to the Committee on Charitable Institutions.

5. That so much thereof as relates to the Penitentiary, be referred to the Committee on the Penitentiary.

6. That so much thereof as relates to the State House of Reform, be referred to the Committee on the Penitentiary.

7. That so much thereof as relates to National Cemeteries, be referred to the Committee on Federal Relations.

8. That so much thereof as relates to the State claims against the Federal Government, be referred to the Committee on the Sinking Fund.

9. That so much thereof as relates to labor and emigration, be referred to the Select Committee on that subject.

10. That so much thereof as relates to law and order, and more efficient means to suppress lawlessness, be referred to the Committee on Revised Statutes.

11. That so much thereof as relates to the militia, be referred to the Committee on Military Affairs.

12. That so much thereof as relates to common schools, be referred to the Committee on Education.

13. That so much thereof as relates to salaries of circuit judges, be referred to the Committee on Courts of Justice.

14 That so much thereof as relates to Federal Relations and Civil Rights Bill, be referred to the Committee on Federal Relations.

Which were adopted.

The Speaker announced that Hon. H. A. Tyler would be assigned to the Committees on Federal Relations, Propositions and Grievances, and the Sinking Fund, and Hon. Lewis Perrin to the Committees on Executive Affairs, Library and Public Buildings, Penitentiary, and the Sinking Fund.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the town of Nicholasville,

And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

The following Senators this day appeared and took their seats, viz: Messrs. Bradley, Allison, Talbott, Lyttle, and Prichard.

And then the Senate adjourned.

SATURDAY, JANUARY 7, 1871.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act for the benefit of John J. Schoolfield, of Bracken county.

And that bills originating in the House of Representatives, of the following titles, had become laws on account of the Governor's failure to return them within the time prescribed by the Constitution, viz:

An act to allow John Sartin to fish with nets in Green river.

An act for the benefit of the sureties of M. B. Cox, late sheriff of Morgan county.

And that they had passed bills of the following titles, viz:

An act to amend the charter of the city of Paducah.

An act providing for special judges of the county court for Fayette county.

Which bills were taken up and severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9th, 1867.

An act for the benefit of John W. Caldwell, of Logan county.

An act to amend the charter of the town of Nicholasville.

A message in writing was also received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 7, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Wm. R. Johnson, Jefferson county.
John M. Eglehoff, Jefferson county.
Garrett P. Arbagast, Jefferson county.
James Guthrie Coke, Jefferson county.
James Flanagan, Clark county.
T. S. Venable, Daviess county.
R. A. C. Martin, Adair county.
H. B. Stanwood, Boyle county.
Phil. F. Brown, Fayette county.

Very respectfully,
J. W. STEVENSON,

Resolved, That the Senate advise and consent to said appointments.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chelf—

1. A bill to amend section 345, chapter 2, title 9, article 1, of the Civil Code of Practice.

On motion of Mr. Cooke—

2. A bill to amend an act, entitled "An act to regulate the office of Commissioner and Receiver of the Louisville Chancery Court."

On motion of Mr. Bradley—

3. A bill to incorporate the town of Earlington, in Hopkins county.

On motion of Mr. Chenoweth—

4. A bill to amend the charter of the town of Glasgow.

On motion of Mr. Hayden—

5. A bill to regulate stock guards on railroads in this Commonwealth.

On motion of Mr. Wm. Johnson—

6. A bill for the benefit of the incorporated banks of Kentucky.

On motion of same—

7. A bill to amend an act, entitled "An act to amend the 3d section, 2d article, and 32d chapter, of the Revised Statutes," approved February 16th, 1858.

Ordered, That the Committee on Revised Statutes and Codes of Practice prepare and bring in the 1st, 3d, and 7th; the Committee on the Judiciary the 2d; the Committee on Courts of Justice the 4th;

the Committee on Railroads the 5th; and the Committee on Banks and Insurance the 6th.

The following petitions were presented by Mr. Alexander, viz:

1. The petition of Job Farris, in regard to pensioning soldiers of 1812.

2. The petition of sundry ladies and gentlemen of Flemingsburg, asking the passage of an act allowing the voters of said town to determine by election whether the sale of ardent spirits may be licensed within its limits.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Federal Relations, and the 2d to the Committee on Religion.

Mr. Prichard, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act in relation to the Bardstown and Louisville Railroad Company,

And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Prichard reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, JANUARY 9, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution in regard to firing a salute in honor of January 8.

That they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the mechanics' lien law of Fayette county, and for the better protection of mechanics and material men in Fayette county.

That they had passed bills of the following titles, viz:

1. An act to amend section 367 of the Civil Code of Practice.

2. An act to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue."

3. An act providing for filling vacancies in the office of Public Binder.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were referred to the Committee on Revised Statutes and Codes of Practice, and the 3d was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following petitions were presented, viz:

By Mr. Prichard—

1. The petition of sundry citizens of Louisa, asking that they be allowed to determine by vote whether the sale of ardent spirits may be licensed in or about said town.

By Mr. Perrin—

2. The petition of Joseph F. Lebas, asking amendment of school law in regard to payment of commissioners.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion and Morals, and the 2d to the Committee on Education.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wrightson—

1. A bill to authorize the city of Newport to construct water-works.

On motion of Mr. Chenoweth—

2. A bill for the benefit of the Mercer county court.

On motion of Mr. Standeford—

3. A bill for the benefit of the Kentucky Farmers' Mutual Insurance Company.

On motion of Mr. Chelf—

4. A bill to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company.

On motion of Mr. Vallandingham—

5. A bill for the benefit of Franklin, in Simpson county.

On motion of Mr. Wm. Johnson—

6. A bill to reduce into one the several acts in relation to the appointment of special judges of the county and quarterly courts, and police or city courts.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st and 4th; the Committee on Courts of Justice the 2d and 6th; the Committee on Banks and Insurance the 3d; and the Committee on Education the 5th.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Louisville Ledger Printing Company;

An act to amend the charter of the city of Paducah;

An act providing for special judges of the county court for Fayette county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

On motion, leave of indefinite absence was granted to Messrs. Winfrey and Prichard.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to authorize the city of Newport to supply itself and others with pure water, and to establish water-works.

By Mr. Lyttle, from the Committee on Privileges and Elections—

A bill to exempt haulers from Goose Creek Salt Works from the payment of tolls on the Wilderness turnpike road.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

TUESDAY, JANUARY 10, 1871.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act providing for special judges of the county court of Fayette county.

An act to amend the charter of the city of Paducah.

Also announcing that they had passed bills of the following titles, viz:

1. An act to amend the charter of the town of Taylorsville.

2. An act to authorize the county court of Garrard county to levy a tax for the purpose of paying off an indebtedness created by it.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the first be referred to the Committee on Revised Statutes and Codes of Practice, and that the second be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled

An act in relation to the Bardstown and Louisville Railroad Company.

Mr. Talbott presented the petition of citizens of Boyle county to regulate the weight, per bushel, of all coal mined in this State, and all coal imported and sold here, &c.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lyttle—

1. A bill to have school-houses improved in the Eighth Congressional District.

On motion of Mr. J. W. Johnson—

2. A bill for the benefit of school district No. 8, in McLean county.

On motion of Mr. Wm. Johnson—

3. A bill regulating appeals from police courts.

On motion of Mr. Webb—

4. A bill to amend an act to provide for the advertisement of sheriffs and marshals' sales in the city of Louisville, Jefferson county.

Ordered, That the Committee on Education prepare and bring in the 1st and 2d; the Committee on Courts of Justice the 3d; and the Committee on the Judiciary the 4th.

Mr. Vories offered the following resolution, viz:

Resolved, That the Committee on the Judiciary be requested to examine the general act of incorporation, and report to this body if

any amendment is necessary to enable companies to organize under the same.

Which was twice read and adopted.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

A bill to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds.

By Mr. Wrightson, from the Committee on Internal Improvement—

A bill for the benefit of certain turnpike roads.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in the Senate, entitled

Resolution in regard to firing salute in honor of January 8,

And had found the same truly enrolled.

Said resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, JANUARY 11, 1871.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act for the benefit of James W. Lumsden, of Hickman county.

2. An act for the benefit of E. P. Graves, of Fayette county.

3. An act to amend section 2, article 1, of chapter 48, Revised Statutes, title "Idiots and Lunatics."

4. An act for the benefit of certain children of Meredith Miller, deceased, a free man of color.

5. An act for the benefit of the owners of Clay's Ferry, on the Kentucky river.

Which were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 2d and 4th be referred to the Committee on the Judiciary; the 3d to the Committee on Revised Statutes and Codes of Practice; the 5th to the Committee on Internal Improvement; and that the 1st be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It is represented to this General Assembly, that, in the year 1860, a judgment was rendered in favor of the Commonweal h against William Cromwell, then sheriff of Hickman county, and James W. Lumsden and others, as securities upon the revenue bond of said Cromwell, for the sum of $5,445 88; and whereas, said Cromwell shortly thereafter departed this life, and that his estate was, and is, wholly insolvent, and that all of said securities, except said James W. Lumsden, are hopelessly insolvent; and that said James W. Lumsden has, by different payments, paid the sum of $3,733 82 upon said judgment, leaving a balance yet unpaid, including the damages allowed by law, and costs, of $1,712 06; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That James W. Lumsden be, and he is hereby, released and acquitted from the payment of the balance of the said judgment, except officers' costs and commissions.

§ 2. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hayden and Hawes, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	E. D. Standeford,
Jos. M. Alexander,	W. McKee Fox,	A. G. Talbott,
F. M. Allison,	Edwin Hawes,	Oscar Turner,
A. K. Bradley,	J. B. Hayden,	H. A. Tyler,
R. A. Burton,	G. A. C. Holt,	A. C. Vallandingham,
W. H. Chelf,	William Johnson,	W. L. Vories,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
Wm. L. Conklin,	A. L. McAfee,	Emery Whitaker,
G. W. Connor,	W. H. Payne,	Thos. Wrightson—29.
Lyttleton Cooke,	Lewis Perrin,	

In the negative, Robert Boyd—1.

Resolved, That the title of said bill be as aforesaid.

The following petitions were presented by Mr. Dorman, viz:

1. The petition of citizens and land-owners of Owen county, asking protection against trespassers.

2. The petition of sundry citizens of Owenton, asking the prohibition of the sale of intoxicating liquors in said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on Religion and Morals.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lyttle—

1. A bill to better preserve the public peace, and to give better security to the rights of persons in the State of Kentucky.

On motion of Mr. Talbott—

2. A bill for the benefit of the Deaf and Dumb Asylum at Danville, in Boyle county.

On motion of Mr. Vallandingham—

3. A bill for the benefit of school district No. 14, in Simpson county.

On motion of Mr. Vories—

4. A bill changing the time of holding the quarterly court of Trimble county.

On motion of same—

5. A bill to amend the charter of the Deposit Bank of Eminence.

On motion of Mr. Perrin—

6. A bill to incorporate the Kentucky Mutual Benefit Association of Physicians.

On motion of Mr. Payne—

7. A bill to incorporate the town of Rich Pond, in Warren county.

On motion of Mr. Chelf—

8. A bill to legalize the proceedings of the administrator of John D. Courts, deceased, and for other purposes.

On motion of same—

9. A bill for the benefit of common school commissioners of this Commonwealth.

On motion of same—

10. A bill to amend section 3 of an act, entitled "An act to establish the office of Public Administrator and Guardian," approved January 28th ,1865.

On motion of Mr. McAfee—

11. A bill to provide for a registration law in this Commonwealth.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 7th, and 11th; the Committee on Charitable Institutions the 2d and 6th; the Committee on Education the 3d and 9th; the Committee on Courts of Justice the 4th; the Committee on Banks and Insurance the 5th; and the Committee on Revised Statutes and Codes of Practice the 8th and 10th.

The Speaker laid before the Senate the following communication from the Secretary of State, and accompanying documents, viz:

STATE OF KENTUCKY, OFFICE OF SECRETARY OF STATE,
FRANKFORT, January 10th, 1871.

HON. PRESTON H. LESLIE, *Speaker of Senate:*

As it is required by law that the Secretary of State receive from the Auditor a monthly report of the interest paid on any bond issued by the State, and to whom paid, and that the Secretary report to each General Assembly, within the first two weeks of its session, the amount of each monthly payment so returned, I have the honor to report, through you, to the General Assembly, the following statement, attested by the Auditor, showing the amount of interest paid on State debt, and to whom paid, from the 11th of October, 1869, to the 10th of October, 1870, inclusive.

Respectfully yours,

SAMUEL B. CHURCHILL,
Secretary of State.

A STATEMENT *exhibiting the amount of interest paid on State debt, and to whom paid, from 11th October, 1869, to 10th October, 1870, inclusive:*

1869.				
October	11.	To Grant Green, Cashier, coupons due in July, 1869, paid by Bank of America, New York, and charged in account with Farmers' Bank of Kentucky, Frankfort		$3,000 00
November	11.	To Grant Green, Cashier, coupons paid by Bank of America, New York, and charged in account with Farmers' Bank, Frankfort		2,000 00
December	4.	To W. R. Thompson, for accrued interest on State bonds paid by warrant No. 99, December 4th, 1869		87 50
December	10.	To E. H. Taylor, Cashier, for accrued interest on State bonds redeemed by warrant No. 101		131 65
December	14.	To E. H. Taylor, Cashier, for coupons paid at Bank of America, New York, and charged in account with Branch Bank of Kentucky		5,000 00
1870.				
January	1.	To Grant Green, Cashier, coupons due in January, 1870		2,070 00
January	3.	To John B. Bowman, Regent Kentucky University, coupons due in January, 1870, on State bonds held by the Agricultural College		4,950 00
January	3.	To John Watson, Cashier, coupons due in January, 1870		300 00
January	5.	To E. H. Taylor, Cashier, coupons due in January, 1870		60 00
January	5.	To Grant Green, Cashier, coupons due in January, 1870		600 00
January	6.	To G. W. Norton & Co., for accrued interest on State bonds redeemed by warrant No. 6		50
January	7.	To Grant Green, Cashier, for one coupon due in July, 1869	$30 00	
		Sixteen coupons due in January, 1870	465 00	
				495 00
January	8.	To Grant Green, Cashier, coupon due in January, 1870		30 00
January	10.	To Z. F. Smith, Superintendent of Public Instruction, for interest due in January, 1870, on school bonds		43,152 15
January	11.	To E. H. Taylor, Cashier, coupons due in January, 1870		120 00
January	12.	To E. H. Taylor, Cashier, coupons due in January, 1870		90 00
January	14.	To Grant Green, Cashier, coupons due in January, 1870		120 00
January	15.	To E. H. Taylor, Cashier, coupons due in January, 1870		165 00
January	15.	To A. F. Hawkins, Cashier, coupons due in January, 1870		1,560 00
January	15.	To Grant Green, Cashier, coupons due in January, 1870, and paid by Bank of America, New York, and charged in account with Farmers' Bank, Frankfort	$30,000 00	
		To coupons presented and paid here, due in January, 1870	120 00	
				30,120 00
January	21.	To Bank of Louisville, coupons due in January, 1870		1,500 00
January	22.	To D. Thornton, for accrued interest on State bond redeemed by warrant No. 21		3 33
January	24.	To Grant Green, Cashier, for accrued interest on bonds redeemed by warrant No. 23		20 00
February	2.	To Grant Green, Cashier, coupons due in January, 1870		30 00
February	4.	To E. H. Taylor, Cashier, coupons due in January, 1870		30 00
February	16.	To A. F. Hawkins, Cashier, coupons due in January, 1870		2,350 00
March	25.	To Grant Green, Cashier, interest paid by Bank of America, New York, and charged in account with Farmers' Bank, Frankfort		2,500 00
April	4.	To Rodman & Bro., coupons due in January, 1870		60 00
April	20.	To Hugh Barclay, for accrued interest on bond redeemed by warrant No. 37		18 33
April	25.	To John Watson, Cashier, for accrued interest on bond redeemed by warrant No. 39		18 67
June	8.	To John Watson, Cashier, for accrued interest on bond redeemed by warrant No. 44		25 83
		Amount carried forward		$100,607 96

		Amount brought forward	$100,607 69
July	1.	To M. C. Johnson, for coupons due in July, 1870	240 00
July	1.	To Grant Green, Cashier, coupons due in July, 1870	840 00
July	1.	To Bank of Louisville, coupons due in July, 1870	1,500 00
July	1.	To M. C. Johnson, for coupons due in July, 1870	30 00
July	2.	To Grant Green, Cashier, coupons due in July, 1870	630 00
July	5.	To John Watson, Cashier, coupons due in July, 1870	90 00
July	5.	To John B. Bowman, Regent Kentucky University, coupons due in July, 1870, on State bonds held by Agricultural College	4,950 00
July	5.	To A. F. Hawkins, Cashier, coupons due in July, 1870	1,560 00
July	8.	To John Watson, Cashier, coupons due in July, 1870	180 00
July	9.	To E. H. Taylor, Cashier, coupons due in July, 1870	150 00
July	13.	To E. K. Thornton, coupons due in July, 1870	150 00
July	13.	To Grant Green, Cashier, coupons due in July, 1870	90 00
July	15.	To Grant Green, Cashier, coupons due in July, 1870	270 00
July	23.	To E. H. Taylor, Cashier, for accrued interest on bonds redeemed by warrant No. 70	7 50
July	27.	To John Watson, Cashier, coupons due in July, 1870	810 00
August	9.	To Rodman & Bro., coupon due in July, 1870	30 00
August	9.	To Grant Green, Cashier, for accrued interest on bonds redeemed by warrant No. 80	5 00
August	16.	To Grant Green, Cashier, coupons paid at Bank of America, New York, as per statement filed, and charged in account with Farmers' Bank, at Frankfort, due in July, 1870	30,000 00
August	23.	To Grant Green, Cashier, coupon due in July, 1870	30 00
August	30.	To A. F. Hawkins, Cashier, coupons due in July, 1870	2,350 00
August	30.	To Grant Green, Cashier, accrued interest on bond No. 1133, paid by warrant No. 90	9 50
September	1.	To John Watson, Cashier, coupons due in July, 1870	120 00
September	16.	To E. H. Taylor, Cashier, accrued interest on bonds redeemed by warrant No. 97	36 96
October	4.	To Z. F. Smith, Superintendent of Public Instruction, for interest due in July, 1870, on school bonds	43,152 15
		Total	$187,839 07

Attest: D. HOWARD SMITH, *Auditor*,
By JAMES M. WITHROW, *Assistant*.

Which were ordered to be printed.

On motion of Mr. Conklin,

Ordered, That a committee be appointed, whose duty it shall be to ask leave of the House of Representatives to withdraw therefrom the announcement of the Senate's disagreement to a bill, which originated in said House, entitled,

An act to revise, digest, and compile the statute laws of this State.

Whereupon, Messrs. Conklin and Connor were appointed said committee.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill amending the several laws in relation to special judges of county and quarterly courts.

By same—

A bill to regulate appeals from police courts and mayor's courts.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

A bill to incorporate the town of Earlington, in Hopkins county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to amend the charter of the town of Taylorsville,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Wm. Johnson, Mr. H. A. Tyler was assigned to the Committee on Courts of Justice.

Mr. Carlisle, from the Committee on the Judiciary, in pursuance to a resolution of the Senate, offered by Mr. Vories on yesterday, requesting said committee to examine and report as to the sufficiency of the general act of incorporation, presented the following report, viz:

The Committee on the Judiciary respectfully report—

That, in obedience to the resolution of the Senate passed on the 10th of January, 1871, directing the said committee to examine the general law upon the subject of corporations, and report whether any amendment is necessary to enable companies to organize under the same, they have carefully examined said act, and are unanimously of the opinion that ample provision is therein made for the organization and operation of all kinds of companies and corporations, except banking, insurance, and railroad companies. While experience may hereafter demonstrate the necessity of amendments to supply omissions and remedy defects in the details of the law, your committee are not now able to suggest any beneficial alterations. No defect

has been pointed out to the committee, or any amendment suggested. Since the act took effect several corporations have been successfully organized under its provisions, and are now in practical operation in different parts of the State; and your committee are of the opinion that its efficacy should be thoroughly tested by actual experiment before they would be justified in recommending any substantial alteration of the law itself, or any departure upon the part of the General Assembly from the policy indicated by its enactment.

J. G. CARLISLE, *Ch'n.*
OSCAR TURNER,
W. L. CONKLIN,
W. H. PAYNE,
LYTTLETON COOKE.

Which was concurred in, and ordered to be printed.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act providing for filling vacancies in the office of Public Binder,

And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, JANUARY 12, 1871.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act for the benefit of John L. Ross, of Ballard county.

2. An act to authorize the trustees holding the legal title to the parsonage of the Christian Church at Paris, to sell the same and reinvest the proceeds.

3. An act for the benefit of Greenup county.

4. An act to incorporate the Big Blain Improvement Company.

5. An act to incorporate the Owensboro Savings Bank.

6. An act in relation to stationery furnished members of the General Assembly.

7. An act to amend the charter of the Galt House Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st and 2d be referred to the Committee on the Judiciary; the 3d to the Committee on Courts of Justice; the 4th to the Committee on Internal Improvement; the 5th to the Committee on Banks and Insurance; the 6th to the Committee on Finance, and that the 7th be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Louisville Ledger Printing Company.

An act providing for filling vacancies in the office of Public Binder.

The following petitions were presented, viz:

By Mr. Whitaker—

1. The petition of sundry citizens of Vanceburg, in Lewis county, praying the repeal of an act to establish the Vanceburg Male and Female Academy, and other purposes.

By Mr. Cooke—

2. The petition of officers of certain insurance companies, asking amendment of the general insurance law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education, and the 2d to the Committee on Banks and Insurance.

Leave was given to bring in the following bills, viz:

On motion of Mr. Boyd—

1. A bill authorizing the county court of Knox county to issue bonds for the purpose of raising money to be used in erecting a court-house and other public buildings in said county.

On motion of Mr. Fox—

2. A bill to establish the county of McCreery.

On motion of Mr. Chelf—

3. A bill for the benefit of J. J. Durham, sheriff of Green county.

On motion of Mr. Chenoweth—

4. A bill to amend an act, entitled "An act to amend chapter 15, title 10, of the Code of Practice."

On motion of Mr. Payne—

5. A bill to authorize one additional lock and dam on Barren river.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 2d; the Committee on Finance the 3d; the Committee on the Judiciary the 4th; the Committee on Internal Improvement the 5th, and that a select committee, consisting of Messrs. Fox, Lyttle, and Turner, be requested to prepare and bring in the 1st.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

1. A bill concerning the Court of Appeals.

By Mr. Carlisle, from the Committee on the Judiciary—

2. A bill to establish a chancery court for the counties of Campbell and Kenton.

By Mr. Payne, from same committee—

3. A bill to incorporate the town of Rich Pond, in Warren county.

By Mr. Cooke, from same committee—

4. A bill to amend an act, entitled "An act to establish a levy and county court for Jefferson county."

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

5. A bill to legalize the proceedings of the Barren county court in reference to the estate of John D. Courts, deceased, and for other purposes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be printed, and made the special order of the day for Tuesday next, 17th January; that the 2d be made the special order of the day for Wednesday next, 18th January; and that the 3d, 4th, and 5th be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of the owners of Clay's Ferry, on the Kentucky river,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Dennis Mulligan, of Lexington,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, The Commonwealth of Kentucky, through its agent and attorney, Thos. B. Monroe, jr., sold to Dennis Mulligan, of Lexington, Kentucky, a house and lot in the city of Lexington, Kentucky, which had escheated to the said Commonwealth, as adjudged by the Court of Appeals of Kentucky in the case of *Corbin and others vs. Commonwealth* (2 *Metcalfe's Reports*, *p.* 380), which sale was approved by the Auditor of Public Accounts of this State; and whereas, the said Den-

nis Mulligan paid the purchase money therefor, three hundred and thirty-four dollars, and a conveyance was made for the Commonwealth by the Auditor of Public Accounts to said Thos. B. Monroe, jr. (who had recovered said house and lot for the Commonwealth), of one moiety of said house and lot, and to said Dennis Mulligan for the other moiety of said house and lot, "free from all the claim or claims of all persons claiming by, through, or under said Commonwealth," which conveyance was made under the contract aforesaid with Mulligan, which had been approved by the Auditor, and, as to the moiety conveyed to Monroe, was for the purpose of enabling him to carry out said contract of sale which had been approved by the Auditor, and to convey the same to Mulligan, which was done by a deed of general warranty; and whereas, the Commonwealth of Kentucky, by an act of the General Assembly, approved 4th April, 1861 (*Session Acts, called session*, 1861, *p* 231), released to, and vested in, Martha Ann Corbin and her daughter, Martha Ann Corbin, all the rights and interests which had come to the Commonwealth in said property by escheat or otherwise; and whereas, in a litigation afterwards arising between said Mulligan and said Corbins in relation to said property, the said property, under said act of the General Assembly, was decided to be that of said Corbins, and the right and claim of Mulligan thereto under his contract and deeds aforesaid was defeated by said act of the General Assembly, and the matter decided against him by the Kentucky Court of Appeals (1 *Bush's Reports, page* 297), and the same was affirmed by the Supreme Court of the United States (7 *Wallace*, 487); and whereas, the State of Kentucky, under the contract aforesaid, and under said deed guaranteeing the title to said house and lot, "free from all the claims of all persons claiming by, through, or under said Commonwealth," is responsible to said Mulligan, who bought and paid for said property in good faith under the Commonwealth, and who lost it by judgment of the Appellate Court of the State, affirmed by the Supreme Court of the United States as aforesaid, by the said Corbin's claiming by and under said Commonwealth for his said purchase money and interest, if not also his costs, expended in said litigation; but said Mulligan being willing to accept his said purchase money and interest in full satisfaction of his claim against the Commonwealth; therefore, for remedy thereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and hereby is, authorized and required to draw his warrant on the Treasurer in favor of said Dennis Mulligan for the sum of five hundred and seventeen dollars and seventy-five cents, being the amount of said purchase money paid by him, and interest to this day, in full satisfaction of said claim of said Mulligan; and the same shall be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This shall be in force from its passage.

The question being then taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	K. F. Prichard,
Jos. M. Alexander,	W. McKee Fox,	I. A. Spalding,
Robert Boyd,	Edwin Hawes,	A. G. Talbott,
A. K. Bradley,	J. B. Hayden,	Oscar Turner,
R. A. Burton,	William Johnson,	H. A. Tyler,
John G. Carlisle,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
G. W. Connor,	W. H. Payne,	Emery Whitaker,
Lyttleton Cooke,	Lewis Perrin,	Thos. Wrightson—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act authorizing the county court of Garrard county to levy a tax for the purpose of paying off an indebtedness created by it,

And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

On motion of Mr. Wrightson, leave of indefinite absence was granted to Mr. Hawes.

Mr. Conklin, from the select committee appointed on yesterday to withdraw from the House of Representatives the announcement of the Senate's disagreement to a bill from said House, entitled

An act to revise, digest, and compile the statute laws of this State,

Reported that said committee had performed their duty, and presented said bill at the Clerk's desk.

Said bill was then taken up for consideration.

Mr. Conklin moved that the vote by which the Senate had disagreed to said bill be reconsidered.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Conklin,

Ordered, That said bill be referred to a select committee.

Whereupon, Messrs. Conklin, Whitaker, Wm. Johnson, Carlisle, and Cooke, were appointed said committee.

The Speaker having announced that the hour had arrived for the execution of the joint order of the day, the election of a Public Binder.

Mr. Vallandingham moved that a committee be appointed to inform the House of Representatives that the Senate was now ready to proceed to the execution of the joint order of the day, the election of a Public Binder.

Whereupon, Messrs. Vallandingham, Fox, and Boyd were appointed said committee.

A message was received from the House of Representatives, announcing that they were ready to proceed to the execution of the joint order of the day.

The Speaker having announced that nominations for the office of Public Binder were in order,

Mr. Holt nominated John Martin, jr., of McCracken county, as a suitable person to fill said office.

Mr. Tyler nominated Mr. E. P. Noble, of McCracken county, to fill said office.

On motion,

Ordered, That the same committee inform the House of Representatives that said persons were in nomination before the Senate.

A message was received from the House of Representatives, announcing that the same gentlemen were in nomination in said House.

The Senate then proceeded to take a vote, which resulted as follows, viz:

Those who voted for Mr. Martin, were—

Robert Boyd,	D. Y. Lyttle,	K. F. Prichard,
Lyttleton Cooke,	A. L. McAfee,	Oscar Turner,
J. H. Dorman,	W. H. Payne,	Emery Whitaker,
J. B. Hayden,	Lewis Perrin,	Thos. Wrightson—13.
G. A. C. Holt,		

Those who voted for Mr. Noble, were—

Jos. M. Alexander,	Wm. L. Conklin,	E. D. Standeford,
F. M. Allison,	G. W. Connor,	A. G. Talbott,
A. K. Bradley,	W. McKee Fox,	H. A. Tyler,
R. A. Burton,	Edwin Hawes,	A. C. Vallandingham,
John G. Carlisle,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	I. A. Spalding,	Ben. J. Webb—18.

Mr. Speaker (Leslie), voted for Mr. Hines—1.

On motion,

Ordered, That a committee be appointed, to act in conjunction with a similar committee on the part of the House of Representatives, and compare the result of the joint vote of the two Houses, and make report thereof to the Senate.

Whereupon, Messrs. Alexander, Tyler, and Dorman were appointed said committee.

In a short time, Mr. Alexander reported that the joint vote stood thus:

For Mr. Martin, - - - - - - - - -	67 votes.
For Mr. Noble, - - - - - - - - -	58 votes.
For Mr. Hines, - - - - - - - - -	1 vote.
Necessary to a choice, - - - - - -	64 votes.

The Speaker then announced that Mr. John Martin, jr., of McCracken county, having received a majority of all the votes cast, was duly elected to the office of Public Binder for the Commonwealth of Kentucky, for the term expiring on the 1st Monday in August, 1872.

On motion of Mr. Johnson, who was absent when the vote was taken for Public Binder, leave was given him to record his vote in favor of Mr. Noble.

The Speaker announced the following as the Standing Committees of the Senate for the present session, viz:

On Agriculture and Manufactures—Messrs. Ben. J. Webb, F. M. Allison, J. B. Haydon, Harrison Cockrill, and A. L. McAfee.

On Appropriations—Messrs. W. L. Vories, R. A. Burton, Joseph Gardner, A. G. Talbott, and A. C. Vallandingham.

On Banks and Insurance—Messrs. Emery Whitaker, I. A. Spalding, W. H. Payne, E. D. Standeford, and John B. Clarke.

On Charitable Institutions—Messrs. A. G. Talbott, F. M. Allison, C. Winfrey, Wm. Johnson, and John G. Carlisle.

On Claims—Messrs. A. C. Vallandingham, R. A. Burton, J. B. Haydon, J. Q. Chenoweth, and W. McKee Fox.

On Courts of Justice—Messrs. Wm. Johnson, W. McKee Fox, Robert Boyd, J. H. Dorman, and Emery Whitaker.

On Education—Messrs. John B. Clarke, G. A. C. Holt, D. Y. Lyttle, W. H. Chelf, Lyttleton Cooke, and E. Whitaker.

On Executive Affairs—Messrs. Oscar Turner, W. L. Vories, F. F. Prichard, John W. Johnson, and Lewis Perrin.

On Federal Relations—Messrs. J. H. Dorman, Joseph M. Alexander, W. L. Conklin, D. Y. Lyttle, Robert Boyd, and H. A. Tyler.

On Finance—Messrs. W. L. Conklin, I. A. Spalding, A. L. McAfee, Harrison Cockrill, and R. A. Burton.

On Internal Improvement—Messrs. E. D. Standeford, Thomas Wrightson, A. L. McAfee, J. Q. Chenoweth, and I. C. Winfrey.

On Judiciary—Messrs. John G. Carlisle, Oscar Turner, W. H. Payne, W. L. Conklin, and Lyttleton Cooke.

On Library and Public Buildings—Messrs. Joseph M. Alexander, J. B. Haydon, Harrison Cockrill, A. K. Bradley, and Lewis Perrin.

On Penitentiary—Messrs. K. F. Prichard, Robert Boyd, Joseph Gardner, Edwin Hawes, and Lewis Perrin.

On Military Affairs—Messrs. J. Q. Chenoweth, G. W. Connor, A. C. Vallandingham, Ben. J. Webb, and Emery Whitaker.

On Privileges and Elections—Messrs. D. Y. Lyttle, Thos. Wrightson, G. W. Connor, Edwin Hawes, and John W. Johnson.

On Propositions and Grievances—Messrs. I. C. Winfrey, Robert Boyd, Joseph Gardner, A. K. Bradley, and H. A. Tyler.

On Railroads—Messrs. Lyttleton Cooke, A. G. Talbott, W. H. Payne, G. A. C. Holt, K. F. Prichard, J. G. Carlisle, and W. McKee Fox.

On Revised Statutes and Codes of Practice—Messrs. A. K. Bradley, I. A. Spalding, F. M. Allison, W. McKee Fox, and W. H. Chelf.

On Religion and Morals—Messrs. John W. Johnson, Edwin Hawes, W. H. Chelf, Thomas Wrightson, and Ben. J. Webb.

On Sinking Fund—Messrs. Joseph M. Alexander, W. L. Vories, J. H. Dorman, H. A. Tyler, and Lewis Perrin.

On Enrollments—Messrs. G. A. C. Holt, G. W. Connor, and K. F. Prichard.

And then the Senate adjourned.

FRIDAY, JANUARY 13, 1871.

Leave was given to bring in the following bills, viz:

On motion of Mr. Vories--

1. A bill for the benefit of commissioners, administrators, and sheriffs of Carroll county.

On motion of Mr. Tyler—

2. A bill to incorporate the Mississippi and Southern Atlantic Railroad Company.

On motion of Mr. Conklin—

3. A bill to incorporate a company to build additional locks and dams on Green river.

On motion of Mr. Vallandingham—

4. A bill for the benefit of the State House of Reform.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Railroads the 2d; the Committee on Internal Improvement the 3d, and the Committee on Charitable Institutions the 4th.

Mr. Tyler, from the Committee on Courts of Justice, reported a bill, entitled

A bill to change the time of holding the March term of the quarterly court of the county of Trimble.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Perrin offered the following preamble and resolutions, which were unanimously adopted, viz:

WHEREAS, It has pleased an All-wise Providence to remove from our midst by death our fellow-Senator, Hon. Isaac T. Martin; therefore, be it

Resolved by the Senate of Kentucky, That in the death of Isaac T. Martin this body has lost an honorable and worthy member, his

constituents a faithful and an industrious representative, and society one of its brightest ornaments.

Resolved, That while we bow with humble submission to the will of Him "who doeth all things well," we mourn the death of our companion and friend, and that we hereby tender to his bereaved family our sincere sympathy for their irreparable loss.

Resolved, That a copy of these resolutions be spread upon the Journal of the Senate, and that the Secretary transmit a copy of the same to his family, and that, as a testimony of our respect for the memory of Senator Martin, that the Senators wear the usual badge of mourning for thirty days.

Resolved, That the Senate do now adjourn.

The Senate then adjourned.

SATURDAY, JANUARY 14, 1871.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act authorizing the county court of Garrard county to levy a tax for the purpose of paying off an indebtedness created by it.

And that they had passed bills which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the sale or vending, or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof," approved March 12th, 1869.

An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds.

An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county."

And that they had also passed bills of the following titles, viz:

1. An act for the benefit of T. M. Conditt, late sheriff of McLean county.

2. An act to protect the public highways in Clark and Montgomery counties.

3. An act to create the office of Superintendent of the Negro Paupers of Mercer.

4. An act to extend the time of building fire-proof vaults in Barren county.

5. An act to amend an act, entitled "An act in relation to the collection of taxes in Bourbon county, in aid of the Maysville and Lexington Railroad Company, Northern Division," approved 21st March, 1870.

6. An act to amend the charter of the town of Sharpsburg, in Bath county.

7. An act to close and discontinue Cedar street, in the town of Monterey, in Owen county.

8. An act for the benefit of the Gas Company of Paris.

9. An act for the benefit of the citizens of Uniontown.

10. An act for the benefit of the citizens of Morganfield.

11. An act to amend the charter of the town of Clayville, in Webster county.

12. An act to amend the charter of the town of Dixon, in Webster county.

13. An act to amend an act, entitled "An act to incorporate the Hopkins Coal Company," approved February 18th, 1867.

14. An act to amend an act, entitled "An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church, South," approved January 26th, 1858.

15. An act for the benefit of the Cynthiana and Connersville Turnpike Road Company.

16. An act for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company.

17. An act declaring Bullskin creek, in Clay county, a navigable stream from its mouth to the forks of said creek.

18. An act to amend the charter of the Bullitt County Turnpike Road Company.

19. An act to amend and reduce into one the several acts in relation to the road law of Greenup county.

20. An act for the benefit of Olivia Stewart and her husband, William Stewart.

21. An act to abolish the court of common pleas in Webster county.

22. An act for the benefit of the sheriff of Caldwell county.

23. An act for the benefit of the sheriff of Lyon county.

24. An act to amend an act, entitled "An act to incorporate the Church of the Messiah, of Louisville."

25. An act to incorporate the Elkton Railroad Company.

26. An act to authorize the St. Louis and Iron Mountain Railroad Company to extend their railroad through the city of Columbus.

27. An act changing the time for holding county courts in Harrison county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, 22d, and 23d to the Committee on Finance; the 2d to the Committee on Propositions and Grievances; the 3d, 9th, 10th, 21st, and 27th to the Committee on Courts of Justice; the 5th, 13th, 15th, 16th, 17th, 18th, and 19th to the Committee on Internal Improvement; the 6th, 7th, 8th, 11th, 12th, and 20th to the Committee on the Judiciary; the 14th and 24th to the Committee on Religion and Morals, and the 25th and 26th to the Committee on Railroads.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 14, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons as suitable to be commissioned as notaries public, viz:

Thomas J. Martin, jr., Jefferson county.
Alfred T. Pope, Jefferson county.
J. Fisher, jr., Jefferson county.
H. B. Grant, Jefferson county.
W. H. Slaughter, Jefferson county.
S. W. D. Stone, Jefferson county.
O. T. Ward, Jefferson county.
Henry Weindell, Jefferson county.
Nicholas Jorgenson, Henderson county.
V. M. Mayer, Henderson county.
John R. Swiney, Bourbon county.
Richard J. Brown, Bourbon county.
James M. Hughes, Bourbon county.
James A. McBrayer, Anderson county.

J. F. Stewart, Johnson county.
F. A. Richardson, Barren county.
R. H. Martin, Taylor county.
Samuel A. Spencer, Green county.
Robert A. Cochran, Mason county.
C. J. Pratt, Hopkins county.
C. Bell, McCracken county.
Wm. M. Webb, Trimble county.
George Alfred Winston, Jefferson county.

Very respectfully,
J. W. STEVENSON,

Resolved, That the Senate advise and consent to said appointments.

Leave was given to bring in the following bills, viz:

On motion of Mr. Winfrey—

1. A bill for the benefit of school district No. 29, in Adair county.

On motion of Mr. Prichard—

2. A bill to amend the charter of the town of Louisa.

On motion of same—

3. A bill to amend the charter of the town of Catlettsburg.

On motion of Mr. Dorman.

4. A bill legalizing the sale of the old jail lot in the town of Owenton by the judge of Owen county.

On motion of same—

5. A bill legalizing certain proceedings of the Owen county court.

On motion of same—

6. A bill authorizing the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company.

On motion of same—

7. A bill to amend the charter of the Owenton and Ross's Mill Turnpike Road Company.

On motion of same—

8. A bill for the benefit of Marianna Leiberman, of Owen county.

On motion of Mr. Conklin—

9. A bill to amend the law upon the subject of collecting the revenue tax and county levy.

On motion of Mr. Chelf—

10. A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16th, 1870.

On motion of Mr. Lyttle—

11. A bill to legitimate Sarah Ann Clark and others, of Clay county.

On motion of Mr. Cooke—

12. A bill to incorporate the Louisville Building and Loan Association.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d and 3d; the Committee on Courts of Justice the 4th and 5th; the Committee on Internal Improvement the 6th, 7th, and 10th; the Committee on the Judiciary the 8th, 11th, and 12th, and that the joint committee appointed "to amend and reduce into one the laws relating to the assessment and collection of the revenue in this State," be requested to prepare and bring in the 9th.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Chelf, from the Committee on Education—

1. A bill for the benefit of common school commissioners of this Commonwealth.

By Mr. Fox, from a select committee—

2. A bill to authorize the county court of Knox county to issue bonds to raise money to erect a court-house and other public buildings in said county.

By Mr. Chelf, from the Committee on Courts of Justice—

3. A bill to amend section 345, title 9, chapter 2, article 11, of the Civil Code of Practice.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st and 3d be printed, and made special orders of the day for Thursday next, January 19th, and that the 2d be engrossed and read a third time.

The constitutional provision as to the third reading of the last named bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Whitaker, from the Committee on Courts of Justice, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Greenup county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the Big Blain Improvement Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

[*For bill, see Session Acts*, 187!.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	A. G. Talbott,
Jos. M. Alexander,	W. McKee Fox,	H. A. Tyler,
R. A. Burton,	Joseph Gardner,	A. C. Vallandingham,
W. H. Chelf,	G. A. C. Holt,	Ben. J. Webb,
Wm. L. Conklin,	William Johnson,	Emery Whitaker,
G. W. Connor,	K. F. Prichard,	I. C. Winfrey,
Lyttleton Cooke,	I. A. Spalding,	Thos. Wrightson—21.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Holt offered the following preamble and resolution, viz:

WHEREAS, The common school law enacted by the Legislature of last session was found defective in some of its provisions, and a revision of the same being of immediate necessity; therefore,

Resolved, That the Committee on Education be instructed to prepare such modifications and amendments of the said law as they may deem proper and expedient, and report the same at as early a day as practicable to the Senate.

Which were adopted.

Mr. Spalding offered the following preamble and resolution, viz:

WHEREAS, The Governor, in his message to the present adjourned session of the General Assembly, makes special reference to the flagrant disregard of law, and to the frequent commission of acts of violence in this Commonwealth, and appeals to the Legislature to provide additional remedies and safeguards for the protection of the citizen and the preservation of peace and order; therefore, be it

Resolved, That a special committee of five Senators be appointed by the Speaker, whose duty it shall be to take into consideration the

suggestions of the Governor on that subject, with instructions to report to this body on the 25th day of January, 1871, by bill or otherwise.

Which were adopted.

Whereupon, Messrs. Spalding, Holt, Chelf, Boyd, and Tyler were appointed said committee.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Taylorsville;

An act for the benefit of James W. Lumsden, of Hickman county;

An act to amend the charter of the Galt House Company;

An act for the benefit of the owners of Clay's Ferry, on the Kentucky river;

An act for the benefit of Dennis Mulligan, of Lexington;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, JANUARY 16, 1871.

The following petitions were presented, viz:

By Mr. Allison—

The petition of members of the Presbyterian Church at Greenville, asking that their elders be authorized to sell their church building and parsonage.

By Mr. Turner—

The petition of numerous citizens, asking the repeal or amendment of an act prohibiting the sale of liquors in Blandville.

Which petitions were received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Leave was given to bring in the following bills, viz:

On motion of Mr. Alexander—

1. A bill to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company.

On motion of Mr. Spalding—

2. A bill to repeal an act, entitled "An act concerning public books, and providing for the supply to destitute counties," approved March 16th, 1869.

On motion of Mr. Payne—

3. A bill authorizing the county judge for Warren county to form a partnership for the practice of law.

On motion of same—

4. A bill to amend section 4, article 6, chapter 83, of the Revised Statutes.

On motion of Mr. Connor—

5. A bill to amend the charter of the town of Wyoming, in Bath county.

On motion of same—

6. A bill to amend the charter of the town of Bethel, in Bath county.

On motion of Mr. Holt—

7. A bill to incorporate the Gazette Printing Company of Murray.

Ordered, That the Committee on the Sinking Fund prepare and bring in the 1st; the Committee on Revised Statutes and Codes of

Practice the 2d and 4th; the Committee on Courts of Justice the 3d, and the Committee on the Judiciary the 5th, 6th, and 7th.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Alexander, from the Committee on the Sinking Fund—

1. A bill to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company.

By Mr. Whitaker, from the Committee on Education—

2. A bill relating to school district No. 14, in Simpson county.

By Mr. Talbott, from the Committee on Railroads—

3. A bill to incorporate the Mississippi and Southern Atlantic Railroad Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the 3d be printed, and recommitted to the Committee on Railroads, and that the 1st and 2d be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported without amendment, from the several committees to whom they had been referred, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

1. An act to incorporate the Owensboro Savings Bank.

By Mr. Turner, from the Committee on the Judiciary—

2. An act for the benefit of the Gas Company of Paris.

By same—

3. An act to amend the charter of the town of Sharpsburg, in Bath county.

By same—

4. An act to amend the charter of the town of Clayville, in Webster county.

By same—

5. An act to amend the charter of the town of Dixon, in Webster county.

By same—

6. An act to close and discontinue Cedar street, in the town of Monterey, in Owen county.

By Mr. Talbott, from the Committee on Railroads—

7. An act to incorporate the Elkton Railroad Company.

By same—

8. An act authorizing the St. Louis and Iron Mountain Railroad Company to extend their railroad through the city of Columbus.

Ordered, That the 7th of said bills be recommitted to the Committee on Railroads, and that the 1st, 2d, 3d, 4th, 5th, 6th, and 8th be read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Spalding, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act in relation to stationery furnished members of the General Assembly,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act in relation to stationery furnished members of the General Assembly," approved March 16, 1869, be, and hereby is, applied to the present adjourned session of the General Assembly; and that each member of the General Assembly, including the Lieutenant Governor, shall, for this adjourned session, be allowed and receive the amount in said act provided for, in lieu of stationery heretofore furnished members of the General Assembly; and that five dollars additional shall be allowed under this act to each Chairman of the several committees of the two Houses; all to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	G. W. Connor,	I. A. Spalding,
Jos. M. Alexander,	J. H. Dorman,	A. G. Talbott,
F. M. Allison,	W. McKee Fox,	Oscar Turner,
A. K. Bradley,	G. A. C. Holt,	H. A. Tyler,

R. A. Burton, William Johnson, A. C. Vallandingham,
W. H. Chelf, John W. Johnson, Emery Whitaker,
John B. Clarke, K. F. Prichard, I. C. Winfrey—22.
Wm. L. Conklin,

Those who voted in the negative, were—

Robert Boyd, W. H. Payne, Thos. Wrightson—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the vending or sale, or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof," approved March 12, 1869;

An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county;"

An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, JANUARY 17, 1871.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the owners of Clay's Ferry, on the Kentucky river.

An act to amend the charter of the town of Taylorsville.

An act to amend the charter of the Galt House Company.

An act for the benefit of James W. Lumsden, of Hickman county.

Also announcing that they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act for the benefit of Elizabeth Quincy, and the children of John Quincy, deceased.

That they had disagreed to a bill, which originated in the Senate, entitled

An act amending the charter of the Covington and Lexington Railroad Company.

That they had passed a bill, which originated in the Senate, entitled

An act to change the time of holding the March term of the quarterly court of the county of Trimble.

And that they had passed bills of the following titles, viz:

1. An act to charter the town of Adairville, in Logan county.

2. An act to amend the charter of the Union Mills Turnpike Road Company.

3. An act to amend the charter of the Owingsville and Wyoming Turnpike Road Company.

4. An act to incorporate the Elkton Fair Ground Association.

5. An act to amend an act, entitled "An act to establish the town of Beatty, in the county of Owsley."

6. An act to amend an act, entitled "An act to incorporate the Dividing Ridge Turnpike Road Company, in Mason county," approved March 9, 1868.

7. An act for the benefit of W. L. Fitch, of Lewis county.

8. An act to re-enact an act, entitled "An act to fix the fees of sheriffs," approved February 4th, 1865.

9. An act for the benefit of school district No. 41, in Knox county.

10. An act to authorize the county court of Todd county to levy a tax to discharge the indebtedness of said county.

11. An act for the benefit of the Paris and Clintonville Turnpike Road Company.

12. An act to amend the charter of the Eminence and Ballardsville Turnpike Road Company.

13. An act to amend an act, entitled "An act to incorporate the Richmond and Lexington Railroad Company," approved March 2d, 1867.

14. An act authorizing the legal voters of the county of Lee to locate the county seat of said county by vote.

15. An act to amend the city charter of Covington.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st, 4th, and 5th of said bills be referred to the Committee on the Revised Statutes and Codes of Practice; the 2d, 3d, 6th, 11th, and 12th to the Committee on Internal Improvement; the 7th to the Committee on the Judiciary; the 8th to the Committee on Finance; the 9th to the Committee on Education; the 10th to the Committee on Courts of Justice; the 13th to the Committee on Railroads; the 14th to the Committee on Propositions and Grievances, and that the 15th be read a third time.

The constitutional provision as to the third reading of said last named bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following petitions were presented, viz:

By Mr. Prichard—

1. The petition of the Ashland and Catlettsburg Turnpike Company, asking the amendment of their charter.

By Mr. Gardner—

2. The petition of citizens of Johnson county, asking amendment of the school law.

By Mr. Burton—

3. The petition of members of the bar and others of the 7th judi-

cial district, asking that the widow and heirs of Hon. G. W. Kavanaugh, late circuit judge of said district, be allowed the amount of one year's salary.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Education, and the 3d to the Committee on Claims.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chenoweth—

1. A bill to amend section 521 of the Civil Code of Practice.

On motion of same—

2. A bill for the benefit of Calvin J. Crutchfield.

On motion of Mr. Carlisle—

3. A bill to allow clerks of circuit and criminal courts fees for services in felony cases.

On motion of same—

4. A bill to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company."

On motion of Mr. Dorman—

5. A bill for the benefit of the New Liberty and Owenton Turnpike Road Company.

On motion of Mr. Lyttle—

6. A bill to suppress mobs and unlawful assemblies in this State.

On motion of Mr. Chelf—

7. A bill to incorporate the Deposit Bank at Caverna, Hart county.

On motion of Mr. Cooke—

8. A bill to establish a Bureau of Immigration.

On motion of Mr. Leslie—

9. A bill for the benefit of John R. Sampson.

On motion of Mr. Standeford—

10. A bill for the benefit of school district No. 36.

On motion of Mr. Gardner—

11. A bill for the benefit of R. G. Salyers, of Magoffin county.

On motion of same—

12. A bill for the benefit of Johnson county.

On motion of Mr. Fox—

13. A bill to establish the county of McCreery.

Ordered, That the Committee on the Judiciary be directed to prepare and bring in the 1st, 2d, 8th, and 9th; the Committee on Courts of Justice the 3d and 12th; the Committee on Railroads the 4th; the Committee on Internal Improvement the 5th; the Committee on Mili-

tary Affairs the 6th; the Committee on Banks and Insurance the 7th; the Committee on Education the 10th; the Committee on Claims the 11th, and that a select committee, consisting of Messrs. Talbott, Lyttle, and Alexander, be requested to prepare and bring in the 13th.

The following bills were reported by Mr. Dorman, from the Committee on Courts of Justice, who were directed to prepare and bring in the same, viz:

A bill legalizing certain proceedings of the Owen county court.

A bill legalizing the sale of the old jail lot in the town of Owenton.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported without amendment, from the several committees to whom they had been referred, viz:

By Mr. Dorman, from the Committee on Courts of Justice—

1. An act for the benefit of the citizens of Morganfield.

By Mr. Tyler, from same committee—

2. An act to abolish the court of common pleas in Webster county.

By Mr. Conklin, from the Committee on Finance—

3. An act for the benefit of the sheriff of Caldwell county.

By same—

4. An act for the benefit of the sheriff of Lyon county.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

5. An act to amend the charter of Middletown.

By same—

6. An act to incorporate the German Bundes Lodge, No. 141, D. O. H., in the city of Louisville.

By same—

7. An act to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue."

By Mr. Fox, from the Committee on Courts of Justice—

8. An act for the benefit of the citizens of Uniontown.

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

9. An act to amend section 2, article 1, of chapter 48, Revised Statutes, title "Idiots and Lunatics."

By same—

10. An act to amend section 367 of the Civil Code of Practice.

Ordered, That the 9th and 10th of said bills be printed, and placed in the orders of the day, and that the eight remaining bills be read a third time.

The constitutional provision as to the third reading of said eight named bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Conklin, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of T. M. Conditt, late sheriff of McLean county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, A judgment was rendered by the Franklin circuit court against T. M. Conditt, late sheriff of McLean county, and his sureties on his revenue bond for the year 1868, on account of revenue due from said Conditt to the State for said year; and whereas, on the 26th day of April, 1869, an execution issued upon said judgment for the following amounts, to-wit: Principal, $3,216 11, with interest thereon from June 1st, 1868; damages, $643 22; costs, $3 10; Attorney General's fee, $68 45; and whereas, the said execution, with the interest, amounting at the time of payment to $207 62, has since been fully paid by the said Conditt into the Treasury of the State; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said T. M. Conditt be permitted to draw from the Treasury of the State $643 22, the damages; and the Auditor is directed to issue his warrant upon the Treasurer for the same.

§ 2. That this act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	G. W. Connor,	Lewis Perrin,
Jos. M. Alexander,	Lyttleton Cooke,	I. A. Spalding,

F. M. Allison, W. McKee Fox, E. D. Standeford,
Robert Boyd, Joseph Gardner, A. G. Talbott,
A. K. Bradley, G. A. C. Holt, Oscar Turner,
R. A. Burton, William Johnson, H. A. Tyler,
W. H. Chelf, John W. Johnson, W. L. Vories,
J. Q. Chenoweth, D. Y. Lyttle, Ben. J. Webb,
John B. Clarke, A. L. McAfee, Emery Whitaker—28.
Wm. L. Conklin,

Those who voted in the negative, were—

John G. Carlisle, J. H. Dorman—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice, asked to be discharged from the further consideration of a leave to them referred, to bring in a bill, entitled

A bill to allow assessors of tax till first of June to return their books to the county court clerks.

Which was granted.

On motion of Mr. Bradley,

Ordered, That the joint committee appointed "to amend and reduce into one the laws relating to the assessment and collection of the revenue of this State," be requested to prepare and bring in said bill.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Greenup county;

An act to incorporate the Big Blain Improvement Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

On motion of Mr. Chelf, leave of indefinite absence was granted to Mr. Hayden.

On motion of Mr. Vallandingham, leave of indefinite absence was granted to Mr. Payne.

The Senate, according to order, took up for consideration a bill, entitled

A bill concerning the Court of Appeals.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the terms of the Court of Appeals, as now fixed by law, are abolished, except as provided in the next section. Said Court shall hereafter set every juridical day in each and every year, except the months of July and August, and from the 23d of December to the 2d day of January following, if it shall be necessary for the disposal of all the business upon the docket.

§ 2. The terms as now fixed by law shall be counted and regarded as terms, within the meaning of all the provisions of existing laws, which require anything to be done before the commencement of a term, or after the end of a term, or within a certain number of terms.

§ 3. The Judges of said court shall each receive a salary of six thousand dollars.

§ 4. If the Judges, or either of them, fail to attend the sittings of the court, as herein required, the court shall direct the clerk to certify to the Auditor, on the first day of January and July in each year, the number of days of such failure, and the Auditor shall deduct, from the increase of salary here allowed, an amount equal to the pay per day for each of said days such Judge or Judges shall fail to attend, unless the court shall be satisfied such failure was the result of inevitable casualty or misfortune.

§ 5. All existing laws inconsistent with this act are hereby repealed.

§ 6. This act shall take effect on the first day of June next.

Mr. Cooke moved that said bill be amended as follows, viz:

Strike out in the third section the words "six thousand," and insert in lieu thereof, the words "five thousand."

Mr. Prichard having demanded a division of the question,

The question was first taken on striking out the words "six thousand," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	John W. Johnson,	E. D. Standeford,
W. H. Chelf,	D. Y. Lyttle,	A. G. Talbott,
Wm. L. Conklin,	A. L. McAfee,	A. C. Vallandingham,
G. W. Connor,	Lewis Perrin,	Ben. J. Webb,
Lyttleton Cooke,	K. F. Prichard,	Emery Whitaker,
J. H. Dorman,	I. A. Spalding,	Thos. Wrightson--19.
Joseph Gardner,		

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	John G. Carlisle,	G. A. C. Holt,
Jos. M. Alexander,	J. Q. Chenoweth,	Wm. Johnson,
F. M. Allison,	John B. Clarke,	Oscar Turner,
A. K. Bradley,	W. McKee Fox,	H. A. Tyler--13.
R. A. Burton,		

Mr. Wm. Johnson moved to amend the amendment proposed by Mr. Cooke, by substituting in lieu of the words "five thousand," the words "five thousand five hundred."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the residue of Mr. Cooke's amendment, viz: the insertion of the words "five thousand," and it was decided in the affirmative.

Mr. Spalding then moved to amend said bill by adding after the 4th section the following as an additional section, viz:

"That the tax on appeals to the Court of Appeals shall hereafter be five dollars instead of one dollar, as now provided by law."

The question being taken on said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	I. A. Spalding	Emery Whitaker,
W. H. Chelf,	A. C. Vallandingham,	Thos. Wrightson—8.
John W. Johnson,	W. L. Vories,	

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	Wm. L. Conklin,	D. Y. Lyttle,
Jos. M. Alexander,	Lyttleton Cooke,	Lewis Perrin,
F. M. Allison,	J. H. Dorman,	A. G. Talbott,
Robert Boyd,	W. McKee Fox,	Oscar Turner,
A. K. Bradley,	Joseph Gardner,	H. A. Tyler,
Jno. G. Carlisle,	G. A. C. Holt,	Ben. J. Webb—20.
John B. Clarke,	William Johnson,	

Mr. Wm. Johnson then moved the adoption of the following amendment, viz:

Strike out the 6th section, and insert in lieu thereof the words, "this act shall take effect from and after its passage."

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	E. D. Standeford,
R. A. Burton,	W. McKee Fox,	A. G. Talbott,
John G. Carlisle,	William Johnson,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
John B. Clarke,	Lewis Perrin,	Emery Whitaker,
Lyttleton Cooke,	I. A. Spalding	Thos. Wrightson—21.

Those who voted in the negative, were—

Jos. M. Alexander,	Wm. L. Conklin,	K. F. Prichard,
F. M. Allison,	Joseph Gardner,	A. C. Vallandingham,
Robert Boyd,	G. A. C. Holt,	Oscar Turner—11.
A. K. Bradley,	D. Y. Lyttle,	

Resolved, That the title of said bill be as aforesaid.

And then the Senate adjourned.

WEDNESDAY, JANUARY 18, 1871.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869.

2. An act to amend the charter of the Louisville Furniture Manufacturing Company.

3. An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company.

4. An act for the benefit of H. M. Wade, late sheriff of Marshall county.

5. An act for the benefit of Joel W. Sallee.

6. An act to perfect incomplete records of the courts of this Commonwealth.

7. An act to incorporate the Wayne County Agricultural and Mechanical Society.

8. An act for the benefit of A. J. Mayo and Talbert Akers, securities for Alexander W. Cecil, late sheriff of Floyd county.

9. An act for the benefit of Thomas D. Grundy, of McCracken county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be referred to the Committee on Railroads; the 2d and 7th to the Committee on Agriculture and Manufactures; the 3d to the Committee on Internal Improvement; the 4th, 5th, and 8th to the Committee on Finance; the 6th to the Committee on Courts of Justice, and that the 9th be read a third time.

The constitutional provision as to the third reading of said last named bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the vending or sale, or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof," approved March 12, 1869.

An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county."

An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds.

The following remonstrance and petitions were presented, viz:

By Mr. Alexander—

1. The remonstrance of numerous citizens of Flemingsburg and Fleming county, protesting against the passage of any law restricting the sale of liquors in Flemingsburg.

By same—

2. The petition of sundry citizens of Fleming county, praying the passage of an act authorizing the county court of said county to subscribe stock in the Maysville, Paris, and Lexington Railroad Company, Northern Division.

By Mr. Bradley—

3. The petition of sundry citizens of the town of Madisonville, asking an amendment to the charter of said town.

By Mr. Whitaker—

4. The petition of citizens of Mason county, asking that A. K. Marshall be allowed to sell liquors at Marshall's Station.

By same—

5. The petition of tax-payers of Mason county, asking to be exempted from paying road tax to the Murphysville and Washington Turnpike Road Company.

By Mr. Perrin—

6. The petition of physicians of Harrison county, asking the passage of certain laws for their benefit.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion and Morals; the 2d to the Committee on Courts of Justice; the 3d to the Committee on the Revised Statutes and Codes of Practice; the 4th and 6th to the Committee on Propositions and Grievances, and the 5th to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chenoweth—

1. A bill to authorize the Mercer county court to provide for the payment of the indebtedness of said county.

On motion of Mr. Prichard—

2. A bill to incorporate the Big Sandy Navigation and Manufacturing Company.

On motion of Mr. Chelf—

3. A bill to incorporate the Central Insurance Company.

On motion of Mr. Tyler—

4. A bill authorizing school district No. 16, in Fulton county, to vote a tax to purchase school-house and lot.

On motion of same—

5. A bill for the benefit of Mrs. Bettie Herring.

On motion of Mr. Vories—

6. A bill to amend the charter of the Eminence and Mulberry Turnpike Road Company.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on Internal Improvement the 2d and 6th; the Committee on Banks and Insurance the 3d, and the Committee on Education the 4th and 5th.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish a chancery court for the counties of Campbell and Kenton.

On motion of Mr. Carlisle,

Ordered, That said bill be printed, and made the special order of the day for Tuesday next, January 24th.

The following bills were reported by the several committees directed to prepare and bring in the same, viz :

By Mr. Conklin, from the Committee on Finance—

A bill for the benefit of J. J. Durham, sheriff of Green county.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill for the benefit of the New Liberty and Owenton Turnpike Road Company.

By same—

A bill to authorize the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company.

By same—

A bill to amend the charter of the Owenton and Ross's Mill Turnpike Road Company.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to amend section 521 of the Civil Code of Practice.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to authorize the Mercer county court to provide for the payment of the indebtedness of said county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Talbott, from a select committee, reported a bill, entitled

A bill to establish the county of McCreery.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made a special order of the day for Monday next, January 23d.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Conklin, from the Committee on Finance—

An act to extend the time of building fire-proof vaults in Barren county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act in relation to the collection of taxes in Bourbon county, in aid of the Maysville and Lexington Railroad Company, Northern Division," approved 21st March, 1870.

By same—

An act to amend the charter of the Bullitt County Turnpike Road Company.

By Mr. Carlisle, from the Committee on the Judiciary—

An act concerning arrearages of pay due deceased soldiers.

With an amendment to the last named bill, which was adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chenoweth offered the following resolution, viz:

Resolved, That Hon. Geo. H. Pendleton, of Ohio, who is now in the lobby, be invited to a seat in the Senate Chamber, and that a committee be appointed to extend to him said invitation.

Which was adopted.

Whereupon, Messrs. Chenoweth, Vallandingham, and Clarke, were appointed said committee, who at once discharged their duty, and conducted Mr. Pendleton to the seat provided for him.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Henry, Oldham, and Jefferson Turnpike Road Company.

And the question being taken on said motion, it was decided in the negative.

Mr. Alexander, from the Committee on Federal Relations, to whom had been referred the petition of Job Farris, a soldier of 1812, reported a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

WHEREAS, It has been the practice of the General Government, since the termination of the Revolutionary war, to provide for its wounded soldiery by semi-annual payments as pensions, and for all other soldiers, their widows and orphans, on account of wounds received in the service of the United States in all other wars; and whereas, suitable provision was made by placing all the regular soldiery of the revolutionary war upon the pension roll as far back as 1818, and the militia of that war as far back as 1832; and whereas, no acknowledgment has been made as yet by the General Government of the arduous, important, and patriotic services rendered by the soldiery of the late war with Great Britain, composed in a great part of the very best men of the land, who, for their country's good, braved danger and all other hardships incident to the service, rallying at the call of their country, and although there remains but few yet living, the duty of the Government becomes more imperative. Now, to acknowledge their patriotism and alleviate their sufferings, by providing the same remuneration given to the veterans of the revolution, in placing them upon the pension roll of the United States; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to vote for, and by all honorable means secure the passage of, an act of Congress providing pensions for the soldiers of the war of 1812 with Great Britain.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a bill, entitled

A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16th, 1870,

Reported the same without amendment.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section one of an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16, 1870, be, and the same is amended, by adding to said section, after the word railroad, the word turnpikes, so that the section, as amended, shall read as follows: That any number of persons may associate themselves together, and become incorporated for the transaction of any lawful business, except banking and insurance, and for the con-

struction of railroads and turnpikes; but such incorporation shall confer no powers or privileges not possessed by natural persons, except as hereinafter provided.

§ 2. This act shall take effect from its passage.

Mr. Prichard moved to amend said bill as follows, viz:

Strike out the word "turnpike" wherever it occurs, and insert the word "canals."

A division of the question being demanded,

The question was first taken on striking out the word "turnpike," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Prichard and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Joseph Gardner,	K. F. Prichard,
F. M. Allison,	William Johnson,	I. A. Spalding—7.
Jno. G. Carlisle,		

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	Lyttleton Cooke,	A. G. Talbott,
A. K. Bradley,	J. H. Dorman,	Oscar Turner,
R. A. Burton,	G. A. C. Holt,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
J. Q. Chenoweth,	D. Y. Lyttle,	Ben. J. Webb,
John B. Clarke,	A. L. McAfee,	Emery Whitaker,
Harrison Cockrill,	Lewis Perrin,	Thos. Wrightson—23.
Wm. L. Conklin,	E. D. Standeford,	

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Carlisle and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	E. D. Standeford,
Jos. M. Alexander,	G. A. C. Holt,	A. G. Talbott,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
J. Q. Chenoweth,	Lewis Perrin,	Ben. J. Webb—12.

Those who voted in the negative, were—

F. M. Allison,	Wm. L. Conklin,	I. A. Spalding,
Robert Boyd,	Lyttleton Cooke,	H. A. Tyler,
A. K. Bradley,	Joseph Gardner,	W. L. Vories,
John G. Carlisle,	William Johnson,	Emery Whitaker,
John B. Clarke,	K. F. Prichard,	Thos. Wrightson—15.

So said bill was rejected.

Mr. Bradley then moved to reconsider the vote by which said bill was rejected.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooke and Carlisle, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	G. W. Connor,	Lewis Perrin,
Jos. M. Alexander,	J. H. Dorman,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	A. G. Talbott,
R. A. Burton,	G. A. C. Holt,	Oscar Turner,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
J. Q. Chenoweth,	D. Y. Lyttle,	Ben. J. Webb,
Harrison Cockrill,	A. L. McAfee,	Thos. Wrightson—21.

Those who voted in the negative, were—

F. M. Allison,	Wm. L. Conklin,	I. A. Spalding,
Robert Boyd,	Lyttleton Cooke,	H. A. Tyler,
John G. Carlisle,	Wm. Johnson,	W. L. Vories,
John B. Clarke,	K. F. Prichard,	Emery Whitaker—12.

On motion of Mr. Chelf, the vote by which the third reading of said bill was dispensed with, and the vote by which it was ordered to a third reading, being severally reconsidered,

Ordered, That said bill be printed, and made the special order of the day for Tuesday next, January 24th.

Mr. Carlisle, from the Committee on the Judiciary, reported a bill, entitled

A bill for the benefit of John R. Sampson.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for two judges, authorized to license attorneys-at-law, to grant to John R. Sampson a license to practice law, notwithstanding his minority; and he shall be competent to contract and be contracted with, and vested with all the civil rights, and subject to all the penalties of a man twenty-one years old: *Provided*, That he shall first receive from the judge of the county court a certificate of honesty, probity, and good demeanor, as now required by law.

§ 2. This act to take effect from its passage.

Mr. W. Johnson moved to amend said bill as follows, viz:

Strike out all after the enacting clause of said bill, and insert the following words: "That section 1, article 1, chapter 4, of the Revised Statutes, be, and the same is hereby, repealed."

"That this act shall take effect from its passage."

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Johnand Chelf, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	Lyttleton Cooke,	Oscar Turner,
R. A. Burton,	William Johnson,	Emery Whitaker—8.
J. Q. Chenoweth,	Lewis Perrin,	

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	G. W. Connor,	A. G. Talbott,
F. M. Allison,	J. H. Dorman,	H. A. Tyler,
Robert Boyd,	Joseph Gardner,	A. C. Vallandingham,
John G. Carlisle,	G. A. C. Holt,	W. L. Vories,
W. H. Chelf,	John W. Johnson,	Ben. J. Webb,
John B. Clarke,	K. F. Prichard,	Thos. Wrightson—20.
Wm. L. Conklin,	I. A. Spalding,	

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Mr. Vallandingham moved to lay said bill on the table.

The question being taken on said motion, it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooke and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Leslie),	G. A. C. Holt,	E. D. Standeford,
A. K. Bradley,	William Johnson,	A. G. Talbott,
R. A. Burton,	John W. Johnson,	Oscar Turner,
W. H. Chelf,	A. L. McAfee,	W. L. Vories,
J. Q. Chenoweth,	Lewis Perrin,	Ben. J. Webb,
John B. Clarke,	K. F. Prichard,	Emery Whitaker,
Harrison Cockrill,	I. A. Spalding,	Thos. Wrightson—21.

Those who voted in the negative, were—

F. M. Allison,	G. W. Connor,	Joseph Gardner,
Jno. G. Carlisle,	Lyttleton Cooke,	A. C. Vallandingham,
Wm. L. Conklin,	J. H. Dorman,	H. A. Tyler—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of E. P. Graves, of Fayette county,

Reported the same, with the expression of opinion that it ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That upon the production of the certificate of the county court of Fayette county that Evan P. Graves, of said county, is a person of honesty, probity, and good demeanor, to any two Judges of the Court of Appeals, or any two circuit judges, or a circuit judge and the chancellor of the city of Louisville, they may examine said Graves thoroughly touching his qualifications as a lawyer; and if, thereupon, they believe he is qualified to practice as an attorney-at-law, they shall grant him a license accordingly; and, after being so licensed, he shall be authorized to practice law in the courts of this Commonwealth as if of the full age of twenty-one years: *Provided*, That he shall be responsible for all his contracts, and the performance of his duties as an attorney-at-law, as if of full age.

§ 2. This act shall be in force from its passage.

Mr. Wm. Johnson moved to amend said bill by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That section 1, article 1, chapter 4, of the Revised Statutes, be, and the same is hereby, repealed.

This act shall take effect from its passage.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Wm. Johnson,	Oscar Turner,
J. Q. Chenoweth,	D. Y. Lyttle,	Emery Whitaker—8.
Lyttleton Cooke,	Lewis Perrin,	

Those who voted in the negative, were—

John G. Carlisle,	G. A. C. Holt,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
Harrison Cockrill,	A. L. McAfee,	W. L. Vories,
Wm. L. Conklin,	I. A. Spalding,	Ben. J. Webb,
G. W. Connor,	A. G. Talbott,	Thos. Wrightson—16.
J. H. Dorman,		

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	William Johnson,	A. G. Talbott,
R. A. Burton,	John W. Johnson,	Oscar Turner,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
J. Q. Chenoweth,	Lewis Perrin,	Ben. J. Webb,
Harrison Cockrill,	K. F. Prichard,	Thos. Wrightson—17.
G. A. C. Holt,	I. A. Spalding	

Those who voted in the negative, were—

Jno. G. Carlisle,	Lyttleton Cooke,	H. A. Tyler,
Wm. L. Conklin,	J. H. Dorman,	A. C. Vallandingham,
G. W. Connor,	Joseph Gardner,	Emery Whitaker—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of W. L. Fitch, of Lewis county,

Reported the same, with the expression of opinion that it ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That upon the production of the certificate of the county court of Lewis county that W. L. Fitch is a person of honesty, probity, and good demeanor, to any two Judges of the Court of Appeals, or any two circuit judges, or a circuit judge and the chancellor of the Louisville chancery court, they may examine said Fitch thoroughly touching his qualifications as a lawyer; and if, upon such examination, they find he is qualified to practice as an attorney-at-law, they shall grant him a license accordingly; and, after being so licensed, he shall be authorized to practice law in the courts of this Commonwealth as if of the full age of twenty-one years: *Provided*, That he shall be responsible for all his contracts, and the performance of his duties as an attorney-at-law, as if of full age.

§ 2. This act shall be in full force from its passage.

Mr. Wm. Johnson moved to amend said bill by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That section 1, article 1, chapter 4, of the Revised Statutes, be, and the same is hereby, repealed.

This act shall take effect from its passage.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	G. A. C. Holt,	Lewis Perrin,
A. K. Bradley,	William Johnson,	Oscar Turner,

R. A. Burton, D. Y. Lyttle, Emery Whitaker—10.
Lyttleton Cooke,

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	A. G. Talbott,
Jno. G. Carlisle,	Joseph Gardner,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
Wm. L. Conklin,	K. F. Prichard,	W. L. Vories,
G. W. Connor,	I. A. Spalding,	Ben. J. Webb—15.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of John L. Ross, of Ballard county,

Reported the same, with the expression of opinion that it ought not to pass.

The question was taken on ordering said bill to be read a third time, and it was decided in the affirmative.

So said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John L. Ross, of Ballard county, be, and he is hereby, freed from all the disabilities of minority, and he is hereby declared to be of full age, and is vested with all the civil rights, immunities, and powers he would have on attaining the age of twenty-one years, except the right to vote, and in law is declared competent to contract and be contracted with, and subject to all the liabilities and penalties of a man of age.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	William Johnson,	A. G. Talbott,
R. A. Burton,	John W. Johnson,	Oscar Turner,
W. H. Chelf,	D. Y. Lyttle,	H. A. Tyler,
Harrison Cockrill,	K. F. Prichard,	W. L. Vories,
G. A. C. Holt,	I. A. Spalding,	Ben. J. Webb—15.

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	G. W. Connor,	Lewis Perrin,
F. M. Allison,	Lyttleton Cooke,	A. C. Vallandingham,

John G. Carlisle, J. H. Dorman, Emery Whitaker,
John B. Clarke, Joseph Gardner, Thos. Wrightson—13.
Wm. L. Conklin,

Resolved, That the title of said bill be as aforesaid.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to change the time of holding the March term of the quarterly court of the county of Trimble;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Elizabeth Quincy, and the children of John Quincy, deceased;

An act to incorporate the Owensboro Savings Bank;

An act in relation to stationery furnished members of the General Assembly;

An act to amend the charter of the town of Sharpsburg, in Bath county;

An act to close and discontinue Cedar street, in the town of Monterey, in Owen county;

An act for the benefit of the Gas Company of Paris;

An act to amend the charter of the town of Clayville, in Webster county;

An act to amend the charter of the town of Dixon, in Webster county;

An act to authorize the St. Louis and Iron Mountain Railroad Company to extend their railroad through the city of Columbus;

An act to amend the city charter of Covington;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, JANUARY 19, 1871.

A message was received from the House of Representatives, announcing that they had concurred in an amendment proposed by the Senate, to a bill from the House of Representatives, entitled

An act to change the county line of Whitley county.

And that they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21st, 1870.

2. An act for the benefit of Harrison V. Cothes, of Ballard county.

3. An act for the benefit of Philip Cassity, present sheriff of Martin county.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the first be referred to the Committee on Religion and Morals; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Finance.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Big Blain Improvement Company.

An act for the benefit of Greenup county.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled

An act to change the time of holding the March term of the quarterly court of the county of Trimble.

The following petitions were presented, viz:

By Mr. Alexander—

1. The petition of citizens of Fleming county, asking that the rate of tolls on turnpikes be made uniform, and the exaction of excessive tolls be prevented.

By Mr. Cockrill—

2. The petition of citizens of Estill and Jackson counties, asking an appropriation for the removal of obstructions from Station Camp creek, and the south fork thereof.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Courts of Justice, and the 2d to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wm. Johnson—

1. A bill for the benefit of school districts Nos. 56, 22, and 3, in the county of Nelson.

On motion of Mr. Lyttle—

2. A bill for the benefit of James W. Hogg, late sheriff of Letcher county.

On motion of Mr. Payne—

3. A bill to authorize the appointment of deputy master commissioners.

On motion of Mr. Cockrill—

4. A bill to amend an act, entitled "An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company," approved February 23d, 1856.

On motion of same—

5. A bill for the benefit of H. B. Wiseman, of Estill county.

On motion of Mr. Holt—

6. A bill for the benefit of the county judge of Lyon county.

On motion of Mr. Fox—

7. A bill to reduce into one the several acts in relation to the town of Somerset.

On motion of Mr. Tyler—

8. A bill to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county to repair the court-house," approved January 26th, 1870.

On motion of same—

9. A bill to amend sections 6 and 7 of article 1, and sections 1 and 2 of article 5, of an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10th, 1854.

On motion of same—

10. A bill for the benefit of Geo. W. Stubblefield, of Fulton county.

On motion of Mr. Burton—

11. A bill for the benefit of H. J. Colvin, late sheriff of Taylor county.

On motion of Mr. Gardner—

12. A bill for the benefit of Elisha Treadway, of Owsley county.

On motion of Mr. Chelf—

13. A bill for the benefit of Green county.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d, 8th, 9th, 10th, and 11th; the Committee on Courts of Justice the 3d, 6th, 7th, and 12th; the Committee on Internal Improvement the 4th and 13th, and the Committee on Claims the 5th.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

An act to amend an act amending chapter 4, article 1, title "Attorneys," of the Revised Statutes, approved January 26th, 1866.

By same—

An act to amend an act, entitled "An act to establish the town of Beatty, in the county of Owsley."

By same—

An act to charter the town of Adairville, in Logan county.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to incorporate the Church of the Messiah, of Louisville."

By same—

An act to amend an act, entitled "An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church, South," approved January 26th, 1858.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend the charter of the Louisville Furniture Manufacturing Company.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to authorize the trustees holding the legal title to the

parsonage of the Christian Church at Paris, to sell the same and reinvest the proceeds.

By same—

An act for the benefit of certain children of Meredith Miller, deceased, a free man of color.

By Mr. Conklin, from a select committee—

An act to revise, digest, and compile the statute laws of this State.

With an amendment to the last named bill as a substitute therefor, which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the title of the last named, which is amended to read,

An act to revise, digest, and compile the statute laws and Codes of Practice.

Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the Elkton Fair Ground Association,

Offered to report the same without amendment.

The Speaker announced that, under the rule of the Senate (No. 81), it was not in order to entertain said bill.

Mr. Vallandingham moved that said rule be suspended for the purpose of considering said bill.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Johnson and Carlisle, were as follows, viz :

Those who voted in the affirmative, were—

A. K. Bradley,	J. H. Dorman,	A. C. Vallandingham,
Harrison Cockrill,	G. A. C. Holt,	E. D. Standeford—6.

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	W. McKee Fox,	I. A. Spalding
F. M. Allison,	Joseph Gardner,	A. G. Talbott,
R. A. Burton,	William Johnson,	H. A. Tyler,
John G. Carlisle,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	D. Y. Lyttle,	Ben. J. Webb,
John B. Clarke,	W. H. Payne,	Emery Whitaker,
Wm. L. Conklin,	K. F. Prichard,	Thos. Wrightson—22.
Lyttleton Cooke,		

So said bill was not entertained by the Senate.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

1. A bill to authorize the sale of the Presbyterian church building, parsonage, and lots belonging to said church, in the town of Greenville.

By Mr. Talbott, from the Committee on Charitable Institutions—

2. A bill for the benefit of the Deaf and Dumb Asylum at Danville.

By Mr. Gardner, from the Committee on Propositions and Grievances—

3. A bill to amend the charter of the Ashland and Catlettsburg Turnpike Company.

By Mr. Cooke, from the Committee on Railroads—

4. A bill to incorporate the Kentucky Central Railroad Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 2d and 4th of said bills be printed, and made special orders of the day—the 2d for Tuesday, January 24th, and the 4th for Thursday next, January 26th; and that the 1st and 3d be engrossed and read a third time.

The constitutional provision as to the third reading of said last mentioned bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Talbott, from the Committee on Charitable Institutions, reported a bill, entitled

A bill for the benefit of the State House of Reform.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of inclosing the grounds and completing the present building, and to erect two additional or family houses of

sufficient capacity to accommodate from thirty to forty boys each, and to furnish the present building and the two proposed buildings with the necessary bedding and furniture, to erect a building for workshops, and to purchase tools for the same, and such farming utensils as will be actually necessary to put the institution in working order, the sum of forty-five thousand dollars is hereby appropriated.

§ 2. That the Treasurer is hereby directed to pay to the commissioners, upon the warrant of the Auditor, the aforesaid sum, in the manner as directed in the act, entitled "An act to establish the State House of Reform for Juvenile Delinquents," approved 15th February, 1869: *Provided*, Said commissioners shall execute bond, as provided in said act.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Leslie),	G. W. Connor,	I. A. Spalding,
Jos. M. Alexander,	Lyttleton Cooke,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	A. G. Talbott,
R. A. Burton,	William Johnson,	H. A. Tyler,
Jno. G. Carlisle,	John W. Johnson,	A. C. Vallandingham,
J. Q. Chenoweth,	D. Y. Lyttle,	W. L. Vories,
John B. Clarke,	W. H. Payne,	Ben. J. Webb,
Harrison Cockrill,	Lewis Perrin,	Emery Whitaker—26.
Wm. L. Conklin,	K. F. Prichard,	

Those who voted in the negative, were—

J. H. Dorman, G. A. C. Holt, Oscar Turner—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Spalding, from the Committee on Finance, reported a bill, entitled

A bill to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9th, 1867.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the above entitled act be so further amended as to allow the heirs and personal representatives of Mrs. Martha Alexander, deceased, to be made party or parties to the action authorized by said

act; and such amendatory and supplemental pleadings as may be proper, are hereby authorized to be filed in said action, and such other steps and proceedings had as may be proper to ascertain the interest and share, if any, of said heirs and personal representatives, or either, in the damages suffered by the distribution of the property in said act mentioned.

§ 2. If it shall appear, on the hearing of the case in the circuit court, that the heirs and personal representatives aforesaid, or either, is entitled to part of the damages, such part shall be adjudged according to the right, and when final judgment is rendered, the Auditor is authorized to draw his warrant or warrants in favor of the party or parties in whose favor the same be adjudged, for the amount or amounts so adjudged, upon production of a certified copy of such judgment, and the Treasurer is directed to pay the same.

§ 3. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	G. W. Connor,	K. F. Prichard,
F. M. Allison,	Joseph Gardner,	I. A. Spalding,
R. A. Burton,	G. A. C. Holt,	E. D. Standeford,
John G. Carlisle,	Wm. Johnson,	A. G. Talbott,
J. Q. Chenoweth,	John W. Johnson,	H. A. Tyler,
John B. Clarke,	W. H. Payne,	Emery Whitaker—20.
Wm. L. Conklin,	Lewis Perrin,	

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	A. K. Bradley,	J. H. Dorman,
Robert Boyd,	Lyttleton Cooke,	Oscar Turner—6.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill for the benefit of common school commissioners of this Commonwealth.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is, directed to draw his warrant on the Treasurer in favor of each Common School Commissioner of this Commonwealth, for the amount of compensation they are entitled to by the 23d section of an act, entitled "An act to revise, amend, and reduce into one the laws relating to the Common Schools of Kentucky," approved March 21, 1870, which compensation shall be paid out of any surplus school fund that may now be due, or placed to the credit of the counties in which the Commissioners respectively reside: *Provided*, That before the Auditor shall

draw his warrant in favor of any such Commissioner, he shall be satisfied, from the certificate of the Superintendent of Public Instruction, that such Commissioner is entitled to the compensation aforesaid: *And provided further*, That this act shall only apply to the school year ending June the 30th, 1871.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	Wm. L. Conklin,	K. F. Prichard,
Jos. M. Alexander,	G. W. Connor,	I. A. Spalding,
F. M. Allison,	Lyttleton Cooke,	E. D. Standeford,
A. K. Bradley,	J. H. Dorman,	Oscar Turner,
R. A. Burton,	W. McKee Fox,	H. A. Tyler,
John G. Carlisle,	G. A. C. Holt,	A. C. Vallandingham,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	John W. Johnson,	Thos. Wrightson—26.
John B. Clarke,	Lewis Perrin,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to amend section 315, title 9, chapter 2, article 11, of the Civil Code of Practice.

Ordered, That said bill be postponed, and made the special order of the day for Thursday next, January 26th.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of Middletown;

An act to incorporate the German Bundes Lodge, No. 141, D. O. H., in the city of Louisville;

An act to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue;"

An act to abolish the court of common pleas in Webster county;

An act for the benefit of T. M. Conditt, late sheriff of McLean county;

An act for the benefit of the citizens of Uniontown;

An act for the benefit of the citizens of Morganfield;

An act for the benefit of the sheriff of Caldwell county;

An act for the benefit of the sheriff of Lyon county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

On motion of Mr. Dorman, leave of indefinite absence was granted to Mr. Whitaker.

Mr. Cooke, from the Committee on the Judiciary, reported a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13th, 1867.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Conklin moved to amend said bill as follows, viz:

Insert after the word "lien," in said bill, the words "subject to any prior lien or liens that may exist of record."

Which amendment was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

FRIDAY, JANUARY 20, 1871.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Owensboro Savings Bank.

An act to close and discontinue Cedar street, in the town of Monterey, in Owen county.

An act in relation to stationery furnished members of the General Assembly.

An act for the benefit of the Gas Company of Paris.

An act to authorize the St. Louis and Iron Mountain Railroad Company to extend their railroad through the city of Columbus.

An act for the benefit of Elizabeth Quincy, and the children of John Quincy, deceased.

An act for the benefit of Dennis Mulligan, of Lexington.

An act to amend the charter of the town of Clayville, in Webster county.

An act to amend the charter of the town of Sharpsburg, in Bath county.

An act to amend the charter of the town of Dixon, in Webster county.

An act to amend the city charter of Covington.

Also announcing that they had concurred in an amendment proposed by the Senate, to a bill from the House of Representatives, entitled

An act authorizing the county court of Perry county to issue bonds to pay off the indebtedness of said county.

And that they had passed bills of the following titles, viz:

1. An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest.

2. An act to provide for the establishment of the line between Franklin and Owen counties.

3. An act to incorporate the Monterey Bridge Company.

4. An act to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer to serve during his term.

5. An act to amend the charter of the town of New Market, in Marion county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st of said bills be referred to the Committee on Finance; the 2d to the Committee on Propositions and Grievances; the 3d to the Committee on Internal Improvement; the 4th to the Committee on Courts of Justice; and the 5th to the Committee on the Judiciary.

Mr. Turner presented the remonstrance of the city council and many citizens of Paducah, protesting against any change in the mode of appointing trustees for the University of the city of Paducah.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill for the benefit of the Danville and Pleasant Hill Turnpike Road Company.

On motion of Mr. Holt—

2. A bill to repeal an act, entitled "An act to prohibit county judges to bring suits to settle the estate of deceased persons," approved February 11, 1867.

On motion of Mr. Payne—

3. A bill to amend the charter of the Kentucky Masonic Mutual Life Insurance Company.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on the Judiciary the 2d; and the Committee on Charitable Institutions the 3d.

Mr. Wm. Johnson, from the Committee on Courts of Justice, reported a bill, entitled

A bill for the benefit of Johnson county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, The papers in many decided causes in the Johnson circuit court clerk's office are mixed together, without being folded in separate wrappers, and many without any arrangement at all; and whereas, all the final judgments and decided causes in said office are without an index; and whereas, the mixing and disarranging of said papers was caused in part by the overhauling of said office by armed troops during the late war, and are still disarranged and without an index; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be, and is hereby, made the duty of the Johnson circuit court clerk to separate the mixed-up papers, and fold all the papers of each several decided suits found in said office separately, and file the same away in said office, numbering each of said decided causes; and it shall also be the duty of said clerk to make a general cross-index of all such papers found in his office, in which there appears to be, or to have been, a final judgment. Said index to be made and kept in a well-bound book to be procured for that purpose.

§ 2. That the said clerk shall be paid for his services, under this act, a sum not exceeding one hundred and twenty-five dollars, to be allowed by the Johnson circuit court, upon being satisfied that the labor herein set forth and required by this act has been performed, which shall be paid out of the State Treasury.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Wm. Johnson,	A. G. Talbott,
Harrison Cockrill,	D. Y. Lyttle,	H. A. Tyler,
Wm. L. Conklin,	K. F. Prichard,	W. L. Vories,
Joseph Gardner,	I. A. Spalding,	Ben. J. Webb—14.
G. A. C. Holt,	E. D. Standeford,	

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	John B. Clarke,	W. H. Payne,
A. K. Bradley,	J. H. Dorman,	Lewis Perrin,
R. A. Burton,	W. McKee Fox,	A. C. Vallandingham,
John G. Carlisle,	John W. Johnson,	Thos. Wrightson—14.
W. H. Chelf,	A. L. McAfee,	

So said bill was rejected.

Mr. Payne moved that the vote by which said bill was rejected be reconsidered.

Which motion was entered only.

Mr. Standeford, from the Committee on Internal Improvement, reported a bill, entitled

A bill to incorporate the Big Sandy Navigation and Manufacturing Company.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Spalding moved that said bill be printed.

The question being taken on said motion, it was decided in the negative.

Mr. J. W. Johnson then moved that said bill be postponed, and made the special order of the day for Tuesday next, 24th January.

And the question being taken on said motion, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cooke, from the Committee on Railroads, to whom had been recommitted

A bill to incorporate the Mississippi and Southern Atlantic Railroad Company,

Reported the same with sundry amendments, which were concurred in.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz :

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to amend the charter of the Eminence and Mulberry Turnpike Road Company.

By same—

A bill to amend the charter of the Blue Lick Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Win-

chester and Red River Iron Works Turnpike Road Company," approved February 23, 1856.

By Mr. Boyd, from the Committee on Propositions and Grievances—

A bill for the benefit of James Y. Hogg, late sheriff of Letcher county.

By same—

A bill for the benefit of H. J. Colvin, late sheriff of Taylor county.

By Mr. Tyler, from same committee—

A bill to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county, to repair the court-house in said county," approved January 26, 1870.

By same—

A bill for the benefit of Geo. W. Stubblefield, of Fulton county.

By same—

A bill to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854.

By Mr. Cooke, from the Committee on Railroads—

A bill to amend the 6th section of an act, entitled "An act to amend the charters of the Louisville and Frankfort and Lexington and Frankfort Railroad Companies," approved January 19, 1867.

By Mr. Cooke, from the Committee on the Judiciary—

A bill to amend an act, approved 20th December, 1865, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

A bill permitting the citizens of Louisa to vote whetner or not liquors shall be sold in said town.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Dorman, from the Committee on Courts of Justice—

An act to authorize the county court of Todd county to levy a tax to discharge the indebtedness of said county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act for the benefit of the Cynthiana and Connersville Turnpike Road Company.

By same—

An act for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company.

By same—

An act declaring Bullskin creek, in Clay county, a navigable stream, from its mouth to the forks of said creek.

By same—

An act to amend the charter of the Union Mills Turnpike Road Company.

By same—

An act to amend and reduce into one the several acts in relation to the road law of Greenup county.

By same—

An act to amend the charter of the Owingsville and Wyoming Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to incorporate the Dividing Ridge Turnpike Road Company, in Mason county," approved March 9, 1868.

By same—

An act for the benefit of the Paris and Clintonville Turnpike Road Company.

By same—

An act to amend the charter of the Eminence and Ballardsville Turnpike Road Company.

By Mr. Cooke, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Richmond and Lexington Railroad Company," approved March 2d, 1867.

By Mr. Carlisle, from the Committee on the Judiciary—

An act for the benefit of Olivia Stewart and her husband, William Stewart.

With an amendment to the last named bill, which was concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wm. Johnson, from the Committee on Courts of Justice, to whom had been referred a bill from the House of Representatives, entitled

An act to perfect incomplete records of the courts of this Commonwealth,

Reported the same, with the expression of opinion that it ought not to pass.

The question was taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Harmon V. Cothes, of Ballard county,

Reported the same, with the expression of opinion that it ought not to pass.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Harmon V. Cothes, of Ballard county, be, and he is hereby, freed from all the disabilities of minority, and he is hereby declared to be of full age, and is vested with all the civil rights, immunities, and powers he would have on attaining the age of twenty-one years, except the right to vôte, and in law is declared competent to contract and be contracted with, and subject to all the liabilities and penalties of a man of age.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Lyttle, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Harrison Cockrill,	A. G. Talbott,
A. K. Bradley,	D. Y. Lyttle,	Oscar Turner,
R. A. Burton,	W. H. Payne,	H. A. Tyler,
W. H. Chelf,	I. A. Spalding	W. L. Vories—13.
J. Q. Chenoweth,		

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	Lyttleton Cooke,	John W. Johnson,
Robert Boyd,	J. H. Dorman,	A. L. McAfee,
Jno. G. Carlisle,	W. McKee Fox,	Lewis Perrin,
John B. Clarke,	Joseph Gardner,	A. C. Vallandingham,
Wm. L. Conklin,	G. A. C. Holt,	Ben. J. Webb—17.
G. W. Connor,	William Johnson,	

So said bill was disagreed to.

Mr. Holt, moved that the vote by which said bill was disagreed to be reconsidered.

Which motion was simply entered.

Mr. Fox, from the Committee on Courts of Justice, asked that said committee be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to authorize the appointment of deputy master commissioners.

Which was granted.

Mr. Carlisle, from the Committee on the Judiciary, asked to be discharged from the further consideration of leaves to bring in bills of the following titles, viz:

A bill for the benefit of Calvin J. Crutchfield.

A bill for the benefit of Jackson Clarke and others.

Which was granted.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Henry, Oldham, and Jefferson Turnpike Road Company;

An act for the benefit of E. P. Graves, of Fayette county;

An act for the benefit of John L. Ross, of Ballard county;

An act to extend the time of building fire-proof vaults in Barren county;

An act to amend an act, entitled "An act in relation to the collection of taxes in Bourbon county, in aid of the Maysville and Lexington Railroad Company, Northern Division," approved 21st March, 1870;

An act to amend the charter of the Bullitt County Turnpike Road Company;

An act for the benefit of Thomas D. Grundy, of McCracken county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

SATURDAY, JANUARY 21, 1871.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act for the benefit of the county of Estill.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to legalize the proceedings of the Barren county court, in reference to the estate of John D. Courts, deceased, and for other purposes.

An act for the protection of livery-stable keepers in this Commonwealth.

An act for the benefit of John R. Sampson.

With an amendment to each of the last two named bills, which were referred—the 1st to the Committee on Courts of Justice, and the last to the Committee on the Judiciary.

And that they had passed bills of the following titles, viz:

1. An act concerning the police court of the town of Winchester, Clark county.

2. An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same.

3. An act for the benefit of Green A. Dunham, of Whitley county.

4. An act to provide for the erection of school buildings in the town of Cloverport.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st and 3d be referred to the Committee on the Judiciary; the 2d to the Committee on Courts of Justice, and the 4th to the Committee on Education.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the German Bundes Lodge, No. 141, D. O. H., in the city of Louisville.

An act for the benefit of the sheriff of Caldwell county.

An act for the benefit of the sheriff of Lyon county.

An act for the benefit of the citizens of Uniontown.

An act to amend the 11th section of the 13th chapter of the Revised Statutes, title "Change of Venue."

An act to amend the charter of Middletown.

An act for the benefit of the citizens of Morganfield.

An act to abolish the court of common pleas in Webster county.

The following petitions were presented, viz:

By Mr. Webb—

1. The petition of citizens of the counties of Perry, Letcher, and Harlan, asking for the establishment of a new county out of parts of the territory of said counties.

By Mr. Burton—

2. The petition of citizens of Campbellsville, Taylor county, asking an amendment to their town charter, restricting the sale of liquors.

By Mr. Gardner—

3. The petition of various persons of Breathitt county, asking to be attached to the county of Lee.

By Mr. Payne—

4. The petition of citizens of Warren county, asking the establishment of a new voting precinct around Rich Pond.

Which were received, the reading dispensed with, and referred—the 1st to a select committee, consisting of Messrs. Webb, McAfee, Cockrill, Lyttle, and Boyd; the 2d and 3d to the Committee on Propositions and Grievances, and the 4th to the Committee on Privileges and Elections.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to amend the charter of the town of Danville.

On motion of Mr. Fox—

2. A bill permitting sheriffs and other officers to amend their returns.

On motion of Mr. Vories—

3. A bill changing the time of holding the Carroll county court.

On motion of Mr. Payne—

4. A bill for the benefit of the sheriff of Warren county.

On motion of same—

5. A bill for the relief of the sheriff of Warren county.

On motion of Mr. Chelf—

6. A bill for the benefit of A. C. Cox, late sheriff of Green county.

On motion of Mr. Talbott—

7. A bill to incorporate the Crab Orchard Springs Company.

On motion of Mr. Chenoweth—

8. A bill to amend the charter of the town of Harrodsburg.

On motion of same—

9. A bill to amend the charter of the Salt River and Dry Branch Turnpike Company.

On motion of Mr. Carlisle—

10. A bill to exempt a certain portion of the wages of laborers from garnishment or attachment.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 3d; the Committee on the Judiciary the 2d, 7th, and 10th; the Committee on Finance the 4th, 5th, and 6th, and the Committee on Internal Improvement the 8th and 9th.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to amend the charter of the Bardstown and Bloomfield Turnpike Road Company.

By Mr. Conklin, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to incorporate the town of Leitchfield."

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill changing the time of holding the Carroll county court.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

A bill to repeal an act, entitled "An act to prohibit the sale or vending of vinous, spirituous, or malt liquors in the town of Blandville, in Ballard county," approved March 8th, 1870.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

1. An act to amend the charter of the town of New Market, in Marion county.

By Mr. Spalding, from the Committee on Finance—

2. An act to re-enact an act, entitled "An act to fix the fees of sheriffs," approved February 4th, 1865.

With an amendment to the last named bill as a substitute therefor, which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the title of the 1st be as aforesaid, and the title of the 2d be amended to read,

An act in relation to the fees of sheriffs.

Messages in writing, two in number, were received from the Governor, by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said messages were severally taken up. The first was read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 21, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

Jo. G. Wilson, Jefferson county.
D. M. Rodman, Jefferson county.
W. D. Douglass, Jefferson county.
A. DeRose, Jefferson county.
Alex. Wellay, Jefferson county.
Geo. D. Howk, Jefferson county.
F. H. Gibson, Jefferson county.
Eli H. Brown, Hancock county.
W. P. Baker, Hancock county.
J. T. Davidson, Fayette county.
Geo. W. Stewart, Fayette county.
James M. Corbin, Kenton county.
M. L. Roberts, Kenton county.
G. M. Mulligan, Allen county.
T. J. Quisenberry, Clark county.
B. S. Gaines, Webster county.
Robert M. Ford, Hickman county.
Robert Garth, McCracken county.
James E. Stewart, Johnson county.
W E. Selacman, Washington county.
S. P. Hogg, Owsley county.
S. P. Waters, Madison county.
Brutus J. Crook, Madison county.

Very respectfully,
J. W. STEVENSON,

Resolved, That the Senate advise and consent to said appointments.

The second was read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 21, 1871.

Gentlemen of the Senate:

I nominate for your consent and approval F. M. Ray, of Hickman, for the office of surveyor of the lands set apart for the officers and soldiers of the Virginia line, created by an act, entitled "An act to authorize the appointment of a surveyor of the lands set apart for the officers and soldiers of the Virginia State line," to fill the vacancy caused by the death of the late surveyor, F. T. Taylor, in compliance with the provisions of an act approved 19th March, 1870.

Very respectfully,
J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointment.

Mr. Spalding, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Wm. J. Mayo and Tolbert Akers, securities for Alexander W. Cecil, late sheriff of Floyd county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 187[illegible].]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	G. W. Connor,	K. F. Prichard,
Jos. M. Alexander,	Lyttleton Cooke,	I. A. Spalding,
A. K. Bradley,	W. McKee Fox,	A. G. Talbott,
R. A. Burton,	Joseph Gardner,	H. A. Tyler,
John G. Carlisle,	Wm. Johnson,	A. C. Vallandingham,
W. H. Chelf,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	W. H. Payne,	Ben. J. Webb,
Harrison Cockrill,	Lewis Perrin,	Thos. Wrightson—24.

In the negative, J. H. Dorman—1.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion yesterday entered to reconsider the vote by which the Senate disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Hermon V. Cothes, of Ballard county.

The question being taken on said motion, it was decided in the affirmative.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Hermon V. Cothes, of Ballard county, be, and he is hereby, freed from all the disabilities of minority, and he is hereby declared to be of full age, and is vested with all the civil rights, immunities, and powers he would have on attaining the age of twenty-one years, except the right to vote, and in law is declared competent to contract and be contracted with, and subject to all the liabilities and penalties of a man of age.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Vallandingham, were as follows, viz :

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	Joseph Gardner,	I. A. Spalding
Jos. M. Alexander,	J. B. Hayden,	A. G. Talbott,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
R. A. Burton,	William Johnson,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	D. Y. Lyttle,	Ben. J. Webb—20.
Harrison Cockrill,	W. H. Payne,	

Those who voted in the negative, were—

Robert Boyd,	J. H. Dorman,	A. C. Vallandingham,
John G. Carlisle,	W. McKee Fox,	Thos. Wrightson—8.
Wm. L. Conklin,	Lewis Perrin,	

Resolved, That the title of said bill be as aforesaid.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act amending chapter 4, article 1, title "Attorneys," of the Revised Statutes, approved January 26th, 1866;

An act to change the county line of Whitley county;

An act for the benefit of certain children of Meredith Miller, deceased, a free man of color;

An act to authorize the trustees holding the legal title to the parsonage of the Christian Church at Paris, to sell the same and reinvest the proceeds;

An act to amend an act, entitled "An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church, South," approved January 26th, 1858;

An act to amend an act, entitled "An act to incorporate the Church of the Messiah, of Louisville,"

An act to amend the charter of the Louisville Furniture Manufacturing Company ;

An act to amend an act, entitled "An act to establish the town of Beatty, in the county of Owsley;"

An act for the benefit of W. L. Fitch, of Lewis county ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

On motion of Mr. Boyd, leave of indefinite absence was granted to Mr. Clarke and Mr. Allison.

On motion of Mr. Bradley, leave of indefinite absence was granted to Mr. Standeford.

And then the Senate adjourned.

MONDAY, JANUARY 23, 1871.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cockrill, from the Committee on Finance—

An act for the benefit of Philip Cassity, present sheriff of Martin county.

By Mr. Carlisle, from the Committee on the Judiciary—

An act concerning the police court of the town of Winchester, Clark county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Green A. Dunham, of Whitley county,

Reported the same, with the expression of opinion that it ought not to pass.

The question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

A bill for the benefit of the Danville and Pleasant Hill Turnpike Company.

By Mr. Chenoweth, from same committee—

A bill to amend the charter of the Salt River and Dry Branch Turnpike Road Company.

By same—

A bill to amend the charter of the town of Harrodsburg.

By. Mr. J. W. Johnson, from the Committee on Religion and Morals—

A bill relating to the sale of spirituous, malt, or vinous liquors in Owenton, and within one mile thereof.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Spalding, from the select committee on the subject of law and order, asked that said committee have further time until Thursday next, January 26, to make their report.

Which was granted.

Mr. Turner read and laid on the table a resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved, That the Auditor of Public Accounts be requested to ascertain the amount of indebtedness of each county, district, city, or town in the State of Kentucky, incurred for the construction of railroads, and in aid of what roads incurred; and that he report the same to the Senate as soon as practicable.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish the county of McCreery.

Mr. Talbott moved that said bill be postponed, and made the special order for Monday next, January 30th, and that the petitions presented to the select committee in reference to said bill be printed.

Mr. Boyd having demanded a division of the question, the question was first taken on postponing, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Johnson and Alexander, were as follows, viz :

Those who voted in the affirmative, were—

Jos. M. Alexander,	W. McKee Fox,	Lewis Perrin,
J. Q. Chenoweth,	Joseph Gardner,	A. G. Talbott,
Harrison Cockrill,	D. Y. Lyttle,	H. A. Tyler—10.
J. H. Dorman,		

Those who voted in the negative, were—

Mr SPEAKER (Leslie),	Wm. L. Conklin,	I. A. Spalding,
F. M. Allison,	G. W. Connor,	E. D. Standeford,
Robert Boyd,	J. B. Hayden,	A. C. Vallandingham,
A. K. Bradley,	G. A. C. Holt,	Ben. J. Webb,
Jno. G. Carlisle,	William Johnson,	I. C. Winfrey—17.
John B. Clarke,	John W. Johnson,	

Mr. Talbott then withdrew his motion to print the petitions presented to the select committee in reference to said bill.

On motion of Mr. Wm. Johnson,

Ordered, That said bill be committed to the Committee on Propositions and Grievances.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to legalize the proceedings of the Barren county court, in reference to the estate of John D. Courts, deceased, and for other purposes,

And an enrolled bill, which originated in the House of Representatives, entitled

An act authorizing the county court of Perry county to issue bonds to pay off the present indebtedness of said county,

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Spalding—

1. A bill for the benefit of the county court of Union county.

On motion of Mr. Conklin—

2. A bill to authorize the trustees of the town of Leitchfield to discontinue parts of certain streets in said town, and sell and convey the same.

On motion of Mr. Dorman—

3. A bill to incorporate the New Liberty Cemetery Company.

On motion of Mr. Alexander—

4. A bill for the benefit of Wm. T. Dudley, late clerk of the Fleming county court, allowing him further time to collect his fee bills.

On motion of Mr. Hayden—

5. A bill to amend the charter of Elizabethtown.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 4th; the Committee on the Judiciary the 2d; the Committee on Religion and Morals the 3d, and the Committee on Revised Statutes and Codes of Practice the 5th.

And then the Senate adjourned.

TUESDAY, JANUARY 24, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to a bill from the House of Representatives, entitled

An act to re-enact an act, entitled "An act to fix the fees of sheriffs," approved February 4, 1865.

Title changed to read,

An act in relation to the fees of sheriffs.

That they had passed bills and concurred in a resolution, which originated in the Senate, of the following titles, viz:

An act to authorize the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company.

An act to authorize the county court of Knox county to issue bonds to raise money to erect a court-house and other public buildings in said county.

An act to amend an act, entitled "An act to incorporate the Traders' Bank," approved February 13th, 1867.

An act to amend the charter of the Bardstown and Bloomfield Turnpike Road Company.

An act legalizing certain proceedings of the Owen county court.

An act legalizing the sale of the old jail lot in the town of Owenton.

An act to authorize the Mercer county court to provide for the payment of the indebtedness of said county.

An act to repeal an act, entitled "An act to prohibit the sale or vending of vinous, spirituous, or malt liquors in the town of Blandville, in Ballard county," approved March 8, 1870.

An act to incorporate the Big Sandy Navigation and Manufacturing Company.

Resolution in regard to pensioning soldiers of the war of 1812.

And that they had passed bills of the following titles, viz:

1. An act to change the times for holding the Garrard circuit court.

2. An act to amend an act, approved March 17, 1870, to change the time of holding circuit courts in the 7th judicial district.

3. An act to create an additional magistrates' district and voting precinct in Christian county.

4. An act to extend the boundary of the town of South Carrollton.

5. An act to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association."

6. An act exempting salt wagons from payment of toll on the Wilderness turnpike road in the counties of Knox and Josh Bell.

7. An act for the benefit of Thomas E. James, of Marshall county.

8. An act to exempt from taxation the property belonging to the Logan Female College.

9. An act for the benefit of common school district No. 35, in Allen county.

10. An act to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15th, 1848.

11. An act to amend the Florence and Independence Turnpike charter.

12. An act to amend the charter of Swift's Iron and Steel Works, in Campbell county.

13. An act to regulate the holding of the special term of the Bourbon circuit court.

14. An act to regulate the election of a treasurer for Bourbon county.

15. An act to prevent the destruction of fish in Cumberland river above the falls.

16. An act to legalize certain acts of the Boone county court.

17. An act in relation to official sales in Boyle county.

18. An act to amend chapter 15, article 3, section 3, of the Revised Statutes.

19. An act to amend an act in relation to the sale of spirituous, vinous, and malt liquors in Logan county, approved March 12th, 1870.

20. An act to continue in force an act, entitled "An act to run, mark, and define the line between the counties of Bourbon and Montgomery."

21. An act for the benefit of Boone county.

22. An act for the benefit of John W. Robinson, of Hickman county.

23. An act for the benefit of St. Peter's Protestant Episcopal Church in Paris.

24. An act to amend the charter of the town of Ceralvo, in Ohio county.

25. An act to incorporate the First Colored Baptist Church of Russellville.

26. An act for the benefit of Estill Seminary.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 13th, and 16th to the Committee on Courts of Justice; the 3d to the Committee on Privileges and Elections; the 4th, 15th, and 20th to the Committee on Propositions and Grievances; the 5th and 12th to the Committee on Agriculture and Manufactures; the 6th, 11th, and 21st to the Committee on Internal Improvement; the 7th, 8th, and 14th to the Committee on Finance; the 9th and 26th to the Committee on Education; the 10th, 17th, 22d, and 24th to the Committee on the Judiciary; the 18th to the Committee on Revised Statutes; and the 19th, 23d, and 25th to the Committee on Religion and Morals.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Bullitt County Turnpike Road Company.

An act to amend an act, entitled "An act in relation to the collection of taxes in Bourbon county, in aid of the Maysville and Lexington Railroad Company, Northern Division," approved 21st March, 1870.

An act to extend the time of building fire-proof vaults in Barren county.

An act to amend the charter of the Henry, Oldham, and Jefferson Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Church of the Messiah, of Louisville."

An act to amend an act, entitled "An act to incorporate the Preachers' Aid Society of the Louisville Conference of the Methodist Episcopal Church, South," approved January 26, 1858.

An act to amend an act amending chapter 2, article 1, title "Attorneys," of the Revised Statutes, approved January 6, 1866.

An act to amend an act, entitled "An act to establish the town of Beatty, in the county of Owsley."

An act to change the county line of Whitley county.

An act to amend the charter of the Louisville Furniture Manufacturing Company.

An act for the benefit of certain children of Meredith Miller, deceased, a free man of color.

An act to authorize the trustees holding the legal title to the parsonage of the Christian Church at Paris, to sell the same and reinvest the proceeds.

And that they had passed a bill, entitled

An act to amend an act, entitled "An act to incorporate Cave Hill Cemetery."

Which bill was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 24, 1871.

Gentlemen of the Senate:

I nominate for your advice and consent John B. Gowen as one of the Managers of the Western Lunatic Asylum, from 1st January, 1871, on which day his commission expired

Very respectfully,

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointment.

The following petition and remonstrance were presented, viz:

By Mr. Dorman—

1. The petition of sundry citizens of the county of Owen, in relation to the amount due Mrs. Thornbury for the teaching of a school in said county.

By Mr. John W. Johnson—

2. The remonstrance of sundry citizens of the town of Calhoun and vicinity, remonstrating against the repeal of the law prohibiting the sale of ardent spirits in said town, and in one mile thereof.

Which were received, the reading dispensed with and referred—the 1st to the Committee on Education, and the 2d to the Committee on Religion and Morals.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Fox, from the Committee on Courts of Justice—

An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same.

By Mr. W. Johnson, from same committee—

An act to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer to serve during his term.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. W. Johnson, from the Committee on Courts of Justice, to whom had been referred the amendments proposed by the House of Representatives to a bill from the Senate, entitled

An act for the protection of livery-stable keepers in this Commonwealth,

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred the amendments proposed by the House of Representatives, to a bill from the Senate, entitled

An act for the benefit of John R. Sampson,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Clarke, from the Committee on Education—

A bill for the benefit of common school district No. 36, in Jefferson county.

By same—

A bill for the benefit of school districts Nos. 8 and 9, in McLean county.

By Mr. Cooke, from the Committee on Railroads—

A bill to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington and Louisville and Nashville Railroad Companies.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Winfrey, from the Committee on Propositions and Grievances, to whom had been referred a bill from the House of Representatives, entitled

An act to provide for the establishment of the line between Franklin and Owen counties,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chenoweth, from the Committee on Military affairs, read and laid on the table joint resolutions.

The rule of the Senate being dispensed with, said resolutions were taken up and read as follows, viz:

WHEREAS, For many months bands of cowardly outlaws have persistently continued, under cover of darkness and the shelter of disguises, to perpetrate outrages and operations upon peaceful and unoffending citizens of this Commonwealth, entitled to the protection of the law; and whereas, these inexcusably criminal proceedings are not only disgraceful to the age in which we live, but especially a stain upon the fair fame of the State; and whereas, by reason of the secrecy under which their atrocious proceedings are perpetrated, they have hitherto baffled every effort made for their detection; now, therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the sum of five hundred thousand dollars is hereby appropriated, and the Governor of this Commonwealth is hereby authorized to draw his warrant upon the Treasurer of this Commonwealth for so much of said sum as may be necessary for the employment of an efficient police, to be appointed by the Governor, for the detection and extirpation of these criminals.

2. *Resolved further*, That the Treasurer of this Commonwealth is authorized to borrow from the Sinking Fund so much of said sum as may exceed the revenue of the State after other appropriations are provided for.

Ordered, That said resolution be referred to the select committee on law and order.

Mr. Winfrey, from the Committee on Propositions and Grievances, to whom had been referred a bill from the House of Representatives, entitled

An act authorizing the legal voters of the county of Lee to locate the county seat of said county by vote,

Reported the same without amendment.

The first section of said bill reads as follows, viz:

That the question of locating the county seat of Lee county be, and the same is hereby, submitted to the qualified voters of said county, at an election to be held at the various election precincts in said county, on the third Monday in February, 1871. It shall be the duty of the officers of said election to open three columns in which to record the votes for said county seat, to be headed respectively: "For Beattyville," "For Proctor," "For Canaan;" and the said vote shall be compared, and the result ascertained, as now provided by law in cases of elections for county officers; and whichever of said places shall have received the highest number of legal votes cast at said election, shall be the seat of justice for said county.

Mr. Gardner then moved to amend said section by adding thereto the following proviso, viz:

Provided, That the county seat of said county shall not be removed from Proctor, the present county seat, unless by a majority of all the voters so voting.

Mr. Cockrill then moved to amend the amendment proposed by Mr. Gardner, by adding thereto the following, viz:

If neither of the places named should receive a majority of all the votes cast, then the question shall be submitted to the voters of said county as to the two places receiving the highest number of votes.

Which amendment was accepted by Mr. Gardner, and adopted by the Senate.

The question was then taken on the adoption of the amendment proposed by Mr. Gardner, as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

Mr. W. Johnson moved to reconsider the vote by which the third reading of said bill had been dispensed with.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gardner and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	Lewis Perrin,
A. K. Bradley,	Edwin Hawes,	A. G. Talbott,
W. H. Chelf,	William Johnson,	H. A. Tyler,
J. Q. Chenoweth,	John W. Johnson,	I. C. Winfrey,

14–s.

John B. Clarke, A. L. McAfee, Thos. Wrightson—16.
Harrison Cockrill,

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	Lyttleton Cooke,	D. Y. Lyttle,
Jos. M. Alexander,	J. H. Dorman,	K. F. Prichard,
F. M. Allison,	W. McKee Fox,	E. D. Standeford,
Jno. G. Carlisle,	Joseph Gardner,	Ben. J. Webb—12.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16th, 1870.

On motion,

Ordered, That the further consideration of said bill be postponed until to-morrow.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the benefit of the Deaf and Dumb Asylum at Danville.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of forty-five hundred dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the Deaf and Dumb Asylum at Danville, to be applied by the board of commissioners thereof to the payment for the lot of land recently purchased by them of J. G. Proctor, in the town of Danville, and adjoining said Asylum grounds; and the Auditor, on the application of the president of said board of commissioners, is hereby directed to issue his warrant on the Treasurer for the payment of the same.

§ 2. This act shall take effect from and after its passage.

Mr. Talbott then moved to amend said bill as follows, viz:

Strike out the words "forty-five hundred," and insert in lieu thereof the words "five thousand;" also after the words "payment for," in the fifth line, insert the words "and improvement of."

And the question being taken on the adoption of said amendments, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	E. D. Standeford,
John G. Carlisle,	W. McKee Fox,	A. G. Talbott,
W. H. Chelf,	Joseph Gardner,	H. A. Tyler,
J. Q. Chenoweth,	Wm. Johnson,	A. C. Vallandingham,
John B. Clarke,	John W. Johnson,	Ben. J. Webb,
Harrison Cockrill,	D. Y. Lyttle,	I. C. Winfrey,
G. W. Connor,	Lewis Perrin,	Thos. Wrightson—22.
Lyttleton Cooke,		

Those who voted in the negative, were—

A. K. Bradley, Edwin Hawes—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to charter the town of Adairville, in Logan county;

An act for the benefit of the Cynthiana and Connersville Turnpike Road Company;

An act for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company;

An act declaring Bullskin creek, in Clay county, a navigable stream, from its mouth to the forks of said creek;

An act to amend the charter of the Union Mills Turnpike Road Company;

An act to amend the charter of the Owingsville and Wyoming Turnpike Road Company;

An act to amend and reduce into one the several acts in relation to the road law of Greenup county;

An act to amend an act, entitled "An act to incorporate the Dividing Ridge Turnpike Road Company, in Mason county," approved March 9, 1868;

An act in relation to the fees of sheriffs;

An act to authorize the county court of Todd county to levy a tax to discharge the indebtedness of said county;

An act for the benefit of the Paris and Clintonville Turnpike Road Company;

An act to amend the charter of the Eminence and Ballardsville Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Richmond and Lexington Railroad Company," approved March 2d, 1867;

An act for the benefit of Wm. J. Mayo and Tolbert Akers, securities for Alexander W. Cecil, late sheriff of Floyd county;

An act for the benefit of Hermon V. Cothes, of Ballard county;

An act to amend the charter of the town of New Market, in Marion county;

And an enrolled bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Trader's Bank," approved February 13, 1867.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Carlisle—

1. A bill requiring trustees to give bond.

On motion of Mr. Chenoweth—

2. A bill for the benefit of school district No. 21, in Mercer county.

On motion of same—

3. A bill for the benefit of school district No. 53, in Mercer county.

On motion of Mr. Fox—

4. A bill to incorporate the trustees of the Church of Christ at Antioch, in Pulaski county.

On motion of Mr. Gardner—

5. A bill to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Education the 2d and 3d; the Committee on Courts of Justice the 4th, and the Committee on Internal Improvement the 5th.

And then the Senate adjourned.

WEDNESDAY, JANUARY 25, 1871.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act for the benefit of the Trustees of the Jury Fund.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of certain turnpike roads.

An act to incorporate the town of Earlington, in Hopkins county.

An act to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company.

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

An act to authorize the sale of the Presbyterian church building, parsonage, and lots belonging to said church, in the town of Greenville.

An act to amend the charter of the Owenton and Ross's Mill Turnpike Road Company.

An act to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county to repair the court-house in said county," approved January 26, 1870.

An act to amend an act, approved 20th December, 1865, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works.

With sundry amendments to the last named bill.

Which amendments were twice read and concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act for the benefit of Martin S. Price, of Logan county.

2. An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities.

3. An act declaring Chadwick's creek, in Boyd county, a navigable stream.

4. An act to incorporate the Knights of the Order of St. Crispin.

5. An act for the benefit of John P. Norvall, of Nicholas county.

6. An act for the benefit of Caseyville, in Union county.

7. An act to incorporate the town of Canmer, in the county of Hart.

8. An act to amend the charter of the town of Gratz, in Owen county.

9. An act to amend the charter of the town of New Concord, in Calloway county.

10. An act to incorporate the Charity Hospital School of Medicine.

11. An act to amend the charter of the town of Allensville, in Todd county.

12. An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro Turnpike Road Company."

13. An act to create an additional magistrates' district and voting precinct in Jessamine county.

14. An act to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company.

15. An act to amend an act, entitled "An act to incorporate the Duncansville and Chaplin Turnpike Road Company."

16. An act declaring certain tributaries of the Kentucky river navigable streams.

17. An act creating an additional justices' district in the county of Meade.

18. An act providing a commissioner of county claims for Hart county.

19. An act to repeal part of an act, entitled "An act to authorize the Jackson county court to levy and collect a tax to build a court-house."

20. An act to establish a court of common pleas in Caldwell county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st and 2d be referred to the Committee on Finance; the 3d, 12th, 14th, 15th, and 16th to the Committee on Internal Improvement; the 4th, 5th, 7th, and 8th to the Committee on the Judiciary; the 6th, 18th, and 19th to the Committee on Courts of Justice; the 9th and 11th to the Committee on Revised Statutes and Codes of Practice; the 10th to the Committee on Education; the 13th

and 17th to the Committee on Privileges and Elections, and that the 20th be read a third time.

The constitutional provision as to the third reading of said last named bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Trader's Bank," approved 13th February, 1867.

An act to legalize the proceedings of the Barren county court in reference to the estate of John D. Courts, deceased, and for other purposes.

Mr. Boyd presented the petition of sundry citizens of Laurel county, praying the passage of the Cincinnati Southern Railway charter.

Which was received, the reading dispensed with, and referred to the Committee on Railroads.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to amend the charter of the town of Danville.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend an act, entitled "An act to establish the office of Public Administrator and Guardian," approved January 28th, 1865.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to amend the charter of the River Road Company, of Jefferson county.

By same—

A bill to amend the charter of the Oakland Plank Road Company, of Jefferson county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16th, 1870.

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section one of an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 16th, 1870, be, and the same is, amended by adding to said section, after the word "railroads," the word "turnpikes," so that the section, as amended, shall read as follows: "That any number of persons may associate themselves together and become incorporated for the transaction of any lawful business, except banking and insurance, and for the construction of railroads and turnpikes; but such incorporation shall confer no powers or privileges not possessed by natural persons, except as hereinafter provided."

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Carlisle, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	J. B. Hayden,	K. F. Prichard,
W. H. Chelf,	G. A. C. Holt,	E. D. Standeford,
Harrison Cockrill,	John W. Johnson,	A. G. Talbott,
G. W. Connor,	D. Y. Lyttle,	Ben. J. Webb,
J. H. Dorman,	W. H. Payne,	I. C. Winfrey,
W. McKee Fox,	Lewis Perrin,	Thos. Wrightson—18.

Those who voted in the negative, were—

F. M. Allison,	John B. Clarke,	William Johnson,
Robert Boyd,	Wm. L. Conklin,	H. A. Tyler,
John G. Carlisle,	Edwin Hawes,	W. L. Vories—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Wrightson, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the Monterey Bridge Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Winfrey read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the two Houses of the General Assembly adjourn on the twenty-second day of February next, that they adjourn *sine die*.

Mr. Alexander moved to amend said resolution by striking out the words "twenty-second," and inserting in lieu thereof the word "first."

The question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Conklin then moved to amend said resolution by striking out the words "twenty-second," and inserting in lieu thereof the word "fifteenth."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Allison and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	W. McKee Fox,	E. D. Standeford,
Robert Boyd,	J. B. Hayden,	H. A. Tyler,
A. K. Bradley,	W. H. Payne,	W. L. Vories—10.
Wm. L. Conklin,		

Those who voted in the negative, were—

Jos. M. Alexander,	G. A. C. Holt,	A. G. Talbott,
John G. Carlisle,	Wm. Johnson,	A. C. Vallandingham,
W. H. Chelf,	John W. Johnson,	Ben. J. Webb,
John B. Clarke,	D. Y. Lyttle,	I. C. Winfrey,
J. H. Dorman,	A. L. McAfee,	Thos. Wrightson—17.
Edwin Hawes,	Lewis Perrin,	

Mr. Perrin moved that the further consideration of said resolution be postponed to the 10th day of February next.

Mr. Talbott then moved to amend said motion so as to postpone the further consideration of said resolution to the 22d day of February, instead of the 10th.

Which amendment was accepted and adopted.

The question was then taken on the motion to postpone, as amended, viz: to postpone to the 22d of February next, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Winfrey and Alexander, were as follows, viz :

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. B. Hayden,	Lewis Perrin,
Jno. G. Carlisle,	William Johnson,	K. F. Prichard,
G. W. Connor,	John W. Johnson,	A. G. Talbott,
Edwin Hawes,	A. L. McAfee,	Thos. Wrightson—12.

Those who voted in the negative, were—

F. M. Allison,	J. H. Dorman,	E. D. Standeford,
Robert Boyd,	W. McKee Fox,	H. A. Tyler,
A. K. Bradley,	Joseph Gardner,	A. C. Vallandingham,
W. H. Chelf,	G. A. C. Holt,	W. L. Vories,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb,
Wm. L. Conklin,	W. H. Payne,	I. C. Winfrey—18.

On motion of Mr. Chelf,

Ordered, That the further consideration of said resolution be postponed to the 10th day of February next.

Leave was given to bring in the following bills, viz :

On motion of Mr. Connor—

1. A bill to abolish the July term of the Clark circuit court.

On motion of Mr. Prichard—

2. A bill to amend the charter of the town of Catlettsburg.

On motion of Mr. McAfee—

3. A bill concerning the Nicholasville Odd Fellows' Hall Company.

On motion of Mr. Lyttle—

4. A bill for the benefit of Thomas Cook, late sheriff of Clay county, and his sureties.

On motion of Mr. Vories—

5. A bill to incorporate the Eminence and Sulphur Fork Turnpike Road Company.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 2d; the Committee on Charitable Institutions the 3d; the Committee on Propositions and Grievances the 4th, and the Committee on Internal Improvement the 5th.

And then the Senate adjourned.

THURSDAY, JANUARY 26, 1871.

The Clerk of the Senate announced, that, in consequence of the absence of the Speaker of the Senate, it would devolve upon the Senate to elect a Speaker to preside during such absence.

Whereupon, Mr. Gardner nominated for that office Mr. John G. Carlisle.

No other nomination being made, Mr. Carlisle was unanimously elected Speaker *pro tempore*, and at once took the chair.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to a bill from the House of Representatives, entitled

An act authorizing the legal voters of the county of Lee to locate the county seat of said county by vote.

And that they had passed a bill, entitled

An act to increase the salaries of the judges of circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Courts of Justice.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Richmond and Lexington Railroad Company," approved March 2d, 1867.

An act declaring Bullskin creek, in Clay county, a navigable stream, from its mouth to the forks of said creek.

An act for the benefit of Thomas D. Grundy, of McCracken county.

An act to amend the charter of the Union Mills Turnpike Road Company.

An act for the benefit of the Cynthiana, Paddy's Run, and Lair's Station Turnpike Road Company.

An act for the benefit of the Cynthiana and Connersville Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Dividing Ridge Turnpike Road Company, in Mason county," approved March 9, 1868.

An act to amend the charter of the town of New Market, in Marion county.

An act for the benefit of Wm. J. Mayo and Tolbert Akers, securities for Alexander W. Cecil, late sheriff of Floyd county.

An act to amend and reduce into one the several acts in relation to the road law of Greenup county.

An act to authorize the county court of Todd county to levy a tax to discharge the indebtedness of said county.

An act in relation to the fees of sheriffs.

An act for the benefit of the Paris and Clintonville Turnpike Road Company.

An act to amend the charter of the Eminence and Ballardsville Turnpike Road Company.

An act to amend the charter of the Owingsville and Wyoming Turnpike Road Company.

An act authorizing the county court of Perry county to issue bonds to pay off the present indebtedness of said county.

Mr. Winfrey presented the petition of sundry citizens of Calhoon, asking the removal of restrictions in regard to the sale of liquors in said town.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

On motion of Mr. Cooke, Mr. Wm. Johnson was added to the Committee on the Judiciary.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association."

By same—

An act to amend the charter of Swift's Iron and Steel Works, in Campbell county.

By Mr. Dorman, from the Committee on Courts of Justice—

An act to amend an act, approved March 17, 1870, to change the time of holding circuit courts in the 11th judicial district.

By same—

An act to legalize certain acts of the Boone county court.

By Mr. W. Johnson, from same committee—

An act changing the time for holding county courts in Harrison county.

By same—

An act to change the times for holding the Garrard circuit court.

By same—

An act to regulate the holding of the special term of the Bourbon circuit court.

By same—

An act to repeal part of an act, entitled "An act to authorize the Jackson county court to levy and collect a tax to build a courthouse."

By Mr. Tyler, from same committee—

An act for the benefit of Caseyville, in Union county.

By Mr. Clarke, from the Committee on Education—

An act to provide for the erection of school buildings in the town of Cloverport.

By same—

An act for the benefit of school district No. 41, in Knox county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the Florence and Independence Turnpike charter.

By same—

An act for the benefit of Boone county.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

An act to extend the boundary of the town of South Carrollton.

By same—

An act to prevent the destruction of fish in Cumberland river above the falls.

By same—

An act to continue in force an act, entitled "An act to run, mark,

and define the line between the counties of Bourbon and Montgomery."

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

An act to amend the charter of the town of Allensville, in Todd county.

By same—

An act to amend the charter of the town of New Concord, in Calloway county.

By Mr. Spalding, from the Committee on Finance—

An act for the benefit of H. M. Wade, late sheriff of Marshall county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Spalding, from the Committee on Banks and Insurance—

A bill to incorporate the Caverna Deposit Bank.

By Mr. Clarke, from the Committee on Education—

A bill for the benefit of common school district No. 4, in Green county.

By same—

A bill authorizing school district No. 16, in Fulton county, to vote a tax to purchase school-house and lot.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company.

By Mr. Winfrey, from the Committee on Propositions and Grievances.

A bill to amend an act, entitled "An act to repeal section 3 of the charter of Catlettsburg."

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown, in Hardin county," approved February 26, 1858.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Talbott, from the Committee on Charitable Institutions, asked that said committee be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to amend the charter of the Kentucky Masonic Mutual Life Insurance Company,

And that said leave be referred to the Committee on Banks and Insurance.

Which was granted, and said leave so referred.

Mr. Cooke, from the Committee on Railroads, asked that said committee be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to regulate stock guards on railroads in this Commonwealth.

The question being taken thereon, it was decided in the negative.

Mr. Winfrey, from the Committee on Propositions and Grievances, asked that said committee be discharged from the further consideration of the petition of physicians of Harrison county, asking the passage of certain laws for their benefit.

Which was granted.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Philip Cassity, present sheriff of Martin county;

An act concerning the police court of the town of Winchester, Clark county;

An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same;

An act to amend an act, entitled "An act to incorporate Cave Hill Cemetery;"

And also enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to authorize the county court of Knox county to issue bonds to raise money to erect a court-house and other public buildings in said county;

An act legalizing certain proceedings of the Owen county court;

An act legalizing the sale of the old jail lot in the town of Owenton;

An act to authorize the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company;

An act to authorize the Mercer county court to provide for the payment of the indebtedness of said county;

An act to incorporate the Big Sandy Navigation and Manufacturing Company;

An act to amend the charter of the Bardstown and Bloomfield Turnpike Road Company;

An act to repeal an act, entitled "An act to prohibit the sale or vending of vinous, spirituous, or malt liquors in the town of Blandville, in Ballard county," approved March 8, 1870;

An act for the protection of livery-stable keepers in this Commonwealth;

An act for the benefit of certain turnpike roads;

An act to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company;

An act for the benefit of the New Liberty and Owenton Turnpike Road Company;

An act to amend the charter of the Owenton and Ross's Mill Turnpike Road Company;

An act for the benefit of John R. Sampson;

An act to authorize the sale of the Presbyterian church building, parsonage, and lots belonging to said church, in the town of Greenville;

An act to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county to repair the court-house in said county," approved January 26, 1870;

An act to amend an act, approved 20th December, 1865, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes;"

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works;

Resolution in regard to pensioning soldiers of the war of 1812;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Kentucky Central Railroad Company.

On motion,

Ordered, That the further consideration of said bill be postponed until to-morrow, January 27th.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend section 315, title 9, chapter 2, article 11, of the Civil Code of Practice.

Mr. Chelf moved to amend said bill by striking out the word "section," where it last occurs, and inserting in lieu thereof the word "sentence."

Which amendment was adopted.

Mr. Wm. Johnson then moved that said bill be amended by adding to the 1st section thereof the words, "and the said affidavit shall be read on the trial as a deposition."

On motion of Mr. Holt,

Ordered, That the further consideration of said bill and proposed amendment be postponed until Tuesday next, January 31st.

On motion of Mr. Spalding,

Ordered, That the select committee on law and order have further time until to-morrow to make their report.

The Senate took up for consideration a bill from the House of Representatives, entitled

A bill for the benefit of the negroes and mulattoes of this Commonwealth, approved February 16, 1866.

Mr. Vallandingham then moved an amendment to said bill.

Ordered, That said bill and proposed amendment be committed to the Committee on the Revised Statutes and Codes of Practice.

Mr. Holt read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

WHEREAS, The common school law enacted by the General Assembly of last session has been found to be defective in several of its provisions; and a revision of the same being an immediate necessity, therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three from the Senate and three from the House of Representatives be appointed to prepare such modifications and amendments of the said law as they may deem proper, and report the same at as early a day as practicable.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

Whereupon, Messrs. Holt, Chelf, and Lyttle were appointed said committee on the part of the Senate.

Leave was given to bring in the following bills, viz:

On motion of Mr. Tyler—

1. A bill to repeal an act, entitled "An act to prohibit county judges to bring suits to settle the estates of deceased persons," approved February 11, 1867.

On motion of same—

2. A bill to amend an act, entitled "An act to amend the law in relation to county judges," approved February 13th, 1858.

On motion of same—

3. A bill authorizing the stockholders of the Hickman and Obion Railroad Company to reorganize by electing a board of directors.

On motion of Mr. Talbott—

4. A bill to authorize the sale of the poor-house property in the county of Boyle, and to reinvest the proceeds in a more suitable place in said county.

On motion of Mr. Dorman—

5. A bill for the benefit of the Dallasburg school district, in Owen county.

On motion of Mr. Vories—

6. A bill to amend the charter of the Smithfield and Ballardsville Turnpike Road Company.

On motion of Mr. Payne—

7. A bill for the benefit of school district No. 57, in Warren county.

On motion of Mr. Wm. Johnson—

8. A bill for the benefit of A. C. Thomas, late sheriff of the county of Nelson.

On motion of Mr. Chenoweth—

9. A bill to incorporate the Kentucky High School.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 2d; the Committee on Railroads the 3d; the Committee on Charitable Institutions the 4th; the Committee on Education the 5th, 7th, and 9th; the Committee on Internal Improvement the 6th, and the Committee on Finance the 8th.

On motion, leave of indefinite absence was granted to Messrs. Dorman, Allison, and Burton.

Mr. Talbott presented the Report of the Board of Commissioners of the Kentucky Institution for the Education of the Deaf and Dumb.

And on his motion,

Ordered, That four hundred copies of said report be printed for the use of said Institution, and that two hundred be printed, and enveloped and stamped for the use of the Senate.

And then the Senate adjourned.

FRIDAY, JANUARY 27, 1871.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act relating to school district No. 14, in Simpson county.

And that they had passed bills of the following titles, viz:

1. An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

2. An act to reduce into one the acts concerning the town of Barboursville, fixing the boundary of said town, and for other purposes.

3. An act to incorporate the Kentucky and Tennessee Railroad Company.

4. An act for the benefit of the trustees of the town of Shepherdsville.

5. An act to continue in force for five years an act, entitled "An act for the benefit of Crittenden county," approved February 10, 1865.

6. An act to amend the charter of the Shelby Railroad Company.

7. An act prohibiting the sale of spirituous liquors, &c., in Cumberland county.

8. An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton."

9. An act to authorize the Crittenden county court to issue county bonds to aid in rebuilding the court-house in said county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st, 3d, and 6th be referred to the Committee on Railroads; the 2d and 4th to the Committee on Revised Statutes and Codes of Practice; the 5th and 9th to the Committee on Courts of Justice, and the 7th and 8th to the Committee on Religion and Morals.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Bardstown and Bloomfield Turnpike Road Company.

An act to repeal an act, entitled "An act to prohibit the sale or vending of vinous, spirituous, or malt liquors in the town of Blandville, in Ballard county," approved March 8, 1870.

An act to authorize the county court of Knox county to issue bonds to raise money to erect a court-house and other public buildings in said county.

An act for the benefit of certain turnpike roads.

An act to amend the charter of the Owenton and Ross's Mill Turnpike Road Company.

An act to amend an act, approved 20th December, 1865, entitled "An act to amend section 1, article 3, chapter 47, of the Revised Statutes."

An act to amend an act, entitled "An act to authorize the Fulton county court to levy and collect a tax in said county to repair the court-house in said county," approved January 26, 1870.

An act to amend the charter of the Flemingsburg and Upper Blue Lick Turnpike Road Company.

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

An act to authorize the sale of the Presbyterian church building, parsonage, and lots belonging to said church, in the town of Greenville.

An act legalizing certain proceedings of the Owen county court;

An act legalizing the sale of the old jail lot in the town of Owenton.

An act to authorize the Mercer county court to provide for the payment of the indebtedness of said county.

An act to authorize the Owen county court to subscribe stock in the Owenton and Stamping Ground Turnpike Road Company.

An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works.

Resolution in regard to pensioning soldiers of the war of 1812.

The following petitions were presented, viz:

By Mr. Connor—

1. The petition of sundry citizens of Bath, Bourbon, Montgomery, and Nicholas counties, praying the establishment of a new county from portions of the territory of those counties.

By Mr. Lyttle—

2. The petition of citizens of Booneville, Owsley county, to have a bill passed to prevent the sale of ardent spirits in five miles of said town.

By Mr. Chenoweth—

3. The petition of many citizens, asking the passage of an act to authorize the construction of the Cincinnati Southern Railway.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Religion and Morals, and the 3d to the Committee on Railroads.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Tyler, from the Committee on Courts of Justice—

A bill for the benefit of the county court of Union county.

By Mr. Clarke, from the Committee on Education—

A bill for the benefit of Mrs. Bettie Herring.

By same—

A bill for the benefit of school district No. 53, in Mercer county.

By same—

A bill for the benefit of school district No. 21, in Mercer county.

By Mr. Conklin, from the Committee on Finance—

A bill for the benefit of A. C. Cox, late sheriff of Green county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Clarke, from the Committee on Education—

An act for the benefit of Estill Seminary.

By Mr. Conklin, from the Committee on Finance—

An act to regulate the election of a treasurer for Bourbon county.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

An act for the benefit of St. Peter's Protestant Episcopal Church in Paris.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. W. Johnson, from the Committee on Religion and Morals, asked that said Committee be discharged from the further consideration of the remonstrance of numerous citizens of Flemingsburg and Fleming county, protesting against the passage of any law restricting the sale of liquors in Flemingsburg.

Which was granted.

Mr. J. W. Johnson, from the Committee on Religion and Morals, also asked that said committee be discharged from the further consideration of the petitions and remonstrances in regard to the sale of liquors in Calhoon, and of a bill from the House of Representatives to them referred, entitled

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21st, 1870.

And that said petitions and remonstrances, and said bill, be referred to the Committee on the Judiciary.

Which was granted, and they were so referred.

Mr. Spalding, from the select committee on law and order, reported a bill, entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made the special order of the day for Tuesday next, January 31st.

On motion of Mr. Spalding,

Ordered, That the resolutions on the subject of law and order, reported from the Committee on Military Affairs by Mr. Chenoweth, and referred to the select committee on law and order on Tuesday last, be printed.

Mr. J. W. Johnson, from the Committee on Religion and Morals, proposed to report a bill from the House of Representatives, to them referred, entitled

An act to incorporate the First Colored Baptist Church of Russellville.

The Speaker announced, that, under the rule of the Senate, No. 81, it was not in order to entertain said bill.

Mr. Hawes then moved to suspend said rule for the purpose of considering said bill.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Lyttle, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	D. Y. Lyttle,	A. G. Talbott,
J. Q. Chenoweth,	A. L. McAfee,	A. C. Vallandingham,
Harrison Cockrill,	W. H. Payne,	I. C. Winfrey,
J. B. Hayden,	E. D. Standeford,	Thos. Wrightson—12.

Those who voted in the negative, were—

Robert Boyd,	Joseph Gardner,	Lewis Perrin,
A. K. Bradley,	Edwin Hawes,	K. F. Prichard,
John B. Clarke,	G. A. C. Holt,	I. A. Spalding,
Wm. L. Conklin,	Wm. Johnson,	H. A. Tyler,
Lyttleton Cooke,	John W. Johnson,	Ben. J. Webb—16.
W. McKee Fox,		

So said bill was not entertained.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Kentucky Central Railroad Company.

Ordered, That the further consideration of said bill be postponed until to-morrow.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lyttle—

1. A bill for the benefit of John C. Broadhead.

On motion of Mr. Boyd—

2. A bill to amend section 32, chapter 1, title 3, Civil Code of Practice.

On motion of same—

3. A bill to amend an act to amend and reduce into one the laws in relation to changes of venue in criminal and civil causes in the circuit court.

On motion of same—

4. A bill to amend an act, entitled "An act for the benefit of persons holding lands lying back of other lands, in the vicinity of any of the navigable streams in this State," approved December 6, 1851.

Ordered, That the Committee on Claims prepare and bring in the 1st; the Committee on Revised Statutes and Codes of Practice the 2d and 4th, and the Committee on Courts of Justice the 3d.

And then the Senate adjourned.

SATURDAY, JANUARY 28, 1871.

The Secretary of the Senate announced, that, in consequence of the absence, on account of indisposition, of the Hon. John G. Carlisle, present Speaker *pro tem.*, it will now devolve on the Senate to elect a Speaker for the occasion.

Whereupon, Mr. Lyttle nominated Mr. Wm. Johnson as a suitable person to fill said office.

No other person having been put in nomination, Mr. Johnson was duly elected Speaker for the occasion, and repaired to the chair.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act concerning the Court of Appeals.

That they had also passed bills of the following titles, viz:

1. An act for the benefit of the judge of the city court of Louisville.

2. An act for the benefit of Samuel Biggerstaff, late sheriff of Madison county.

3. An act to amend an act, entitled "An act to incorporate the Madisonville and Shawneetown Straight Line Railroad Company," approved February 18, 1870.

Which bills were severally taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be referred to the Committee on Courts of Justice; the 2d to the Committee on Finance, and that the 3d be read a third time.

The constitutional provision as to the third reading of said last named bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which,

originated in the House of Representatives, of the following titles, viz:

An act concerning the police court of the town of Winchester, Clark county.

An act to amend an act, entitled "An act to incorporate Cave Hill Cemetery."

An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 28, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

James P. Helm, Jefferson county.
Tim. G. Needham, Jefferson county.
E. Y. Parsons, Jefferson county.
Charles D. Howk, Jefferson county.
George Vissman, Jefferson county.
William Woodcock, Pulaski county.
J. P. Payne, Campbell county.
Frank Miller, Larue county.
M. H. Marriott, Hardin county.
W. T. Simmons, Grant county.
J. W. Bloomfield, McCracken county.
Pinkney J. Overly, Kenton county.
J. R. Hindman, Adair county.
James Brennan, Fayette county.
John P. Ernst, Kenton county.

Very respectfully,
J. W. STEVENSON,

Resolved, That the Senate advise and consent to said appointments.

Mr. Conklin presented the petition of sundry citizens of Grayson county, praying the passage of a law to submit to a vote of the people of the county, whether the present license law as to the retail of ardent spirits shall be repealed as to said county.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Clarke, from the Committee on Education—

An act for the benefit of common school district No. 35, in Allen county.

By Mr. Cockrill, from the Committee on Finance—

An act for the benefit of Martin S. Price, of Logan county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act declaring certain tributaries of the Kentucky river navigable streams.

By same—

An act to amend an act, entitled "An act to incorporate the Duncansville and Chaplin Turnpike Road Company."

By same—

An act to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company.

By same—

An act declaring Chadwick's creek, in Boyd county, a navigable stream.

By Mr. Cooke, from the Committee on Railroads—

An act to amend the charter of the Shelby Railroad Company.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

An act to amend chapter 15, article 3, section 3, of the Revised Statutes.

By same—

An act to reduce into one the acts concerning the town of Barboursville, fixing the boundary of the town, and for other purposes.

By same—

An act for the benefit of the trustees of the town of Shepherdsville.

By Mr. Cockrill, from the Committee on Finance—

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities.

With an amendment to the last named bill, which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes, to whom was committed a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved February 16th, 1866,

Together with the amendment thereto, as a substitute therefor, proposed by Mr. Vallandingham,

Reported the same, with the expression of opinion that said amendment should be adopted.

The question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered. That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to repeal an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved March 9th, 1867.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Clarke, from the Committee on Education—

A bill for the benefit of school district No. 57, in Warren county.

By Mr. Conklin, from the Committee on Finance—

A bill for the relief of the sheriff of Warren county.

By Mr. Spalding, from same committee—

A bill for the benefit of Rufus G. Salyers, late deputy sheriff of Magoffin county.

By Mr. Conklin, from same committee—

A bill for the benefit of the sheriff of Warren county.

By Mr. Conklin, from the Committee on the Judiciary—

A bill to authorize the trustees of the town of Leitchfield to discontinue and sell and convey a part of Main cross street, in said town.

By Mr. Cooke, from the Committee on Railroads—

A bill to authorize the stockholders of the Hickman and Obion Railroad Company to elect a new board of directors.

By Mr. Talbott, from the Committee on Charitable Institutions—

A bill to authorize the sale of the poor-house property in Boyle county, and to reinvest the proceeds in a more suitable place in said county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Winfrey, from the Committee on Propositions and Grievances, to whom was committed a bill, entitled

A bill to establish the county of McCreery,

Reported the same, with the expression of opinion that it ought not to pass.

On motion of Mr. Talbott,

Ordered, That the further consideration of said bill be postponed to Thursday next, February 2d.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Kentucky Central Railroad Company.

Mr. Clarke moved an amendment to said bill, as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wm. Johnson, from the Committee on Courts of Justice, to whom had been referred a bill from the House of Representatives, entitled

An act to increase the salaries of the judges of circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court,

Reported the same with two amendments.

On motion of Mr. Vallandingham,

Ordered, That said bill and amendments be printed, and made the special order of the day for Wednesday next, February 1st.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chenoweth—

1. A bill for the benefit of the several banks of issue of Kentucky.

On motion of Mr. Vallandingham—

2. A bill to change the laws in relation to county attorneys.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st, and the Committee on Courts of Justice the 2d.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Earlington, in Hopkins county;

An act relating to school district No. 14, in Simpson county;

And enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to provide for the establishment of the line between Franklin and Owen counties;

An act authorizing the legal voters of the county of Lee to locate the county seat of said county by vote;

An act to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer to serve during his term;

An act changing the time for holding county courts in Harrison county;

An act for the benefit of school district No. 41, in Knox county;

An act for the benefit of H. M. Wade, late sheriff of Marshall county;

An act to incorporate the Monterey Bridge Company;

An act to change the times for holding the Garrard circuit court;

An act to provide for the erection of school buildings in the town of Cloverport;

An act to amend an act, approved March 17, 1870, to change the time of holding circuit courts in the 11th judicial district;

An act to extend the boundary of the town of South Carrollton;

An act to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association;"

An act to amend the Florence and Independence Turnpike charter;

An act to amend the charter of Swift's Iron and Steel Works, in Campbell county;

An act to regulate the holding of the special term of the Bourbon circuit court;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto,

and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, JANUARY 30, 1871.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled

An act relating to school district No. 14, in Simpson county.

The following remonstrance and petitions were presented, viz:

By Mr. Gardner—

1. The remonstrance of various persons of Breathitt county, protesting against the repeal of the present whisky law of said county.

By same—

2. The petition of citizens of Magoffin county, asking for the passage of a law to prohibit the sale of intoxicating liquors in said county, together with the certificate of the county court clerk, showing the vote of the county on the subject in November last.

By Mr. Lyttle—

3. The petition of John A. Duff, of Perry county, asking to be permitted to sell whisky.

By same—

4. The petition of E. Combs and others, asking an appropriation for cleaning out North Fork.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 3d to the Committee on Religion and Morals, and the 4th to the Committee on Internal Improvement.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, viz:

By Mr. Tyler, from the Committee on Courts of Justice—

An act to continue in force for five years an act, entitled "An act for the benefit of Crittenden county," approved February 10, 1865.

By same—

An act to authorize the Crittenden county court to issue county bonds to aid in rebuilding the court-house in said county.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of Samuel Biggerstaff, late sheriff of Madison county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Fox, from the Committee on Courts of Justice—

A bill authorizing the county courts of Estill and Lee to permit persons to erect gates across the public road leading from Irvine to Beattyville.

By Mr. Clarke, from the Committee on Education—

A bill to incorporate the Kentucky High School at Frankfort.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Webb, from the select committee, to whom was referred the petition of citizens of the counties of Perry, Letcher, and Harlan, asking for the establishment of a new county out of parts of the territory of said counties, asked that said committee be discharged from the further consideration thereof, and that it be referred to the Committee on Propositions and Grievances.

Which was granted, and said petition was so referred.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill for the benefit of the Kentucky Eastern Lunatic Asylum.

On motion of Mr. Bradley—

2. A bill changing the time of holding the Hopkins circuit court.

On motion of Mr. McAfee—

3. A bill for the benefit of Jessamine county.

On motion of Mr. Gardner—

4. A bill for the benefit of C. M. Hanks, late sheriff of Wolfe county.

On motion of Mr. Turner—

5. A bill for the benefit of the sureties of Hardin Wade, of Marshall county.

Ordered, That the Committee on Charitable Institutions prepare and bring in the 1st; the Committee on Revised Statutes and Codes of Practice the 2d; the Committee on Internal Improvement the 3d; the Committee on Finance the 4th, and the Committee on the Judiciary the 5th.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act concerning the Court of Appeals;

And enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to prevent the destruction of fish in Cumberland river, above the falls;

An act to legalize certain acts of the Boone county court;

An act to continue in force an act, entitled "An act to run, mark, and define the line between the counties of Bourbon and Montgomery;"

An act for the benefit of Boone county;

An act for the benefit of Caseyville, in Union county;

An act to amend the charter of the town of Allensville, in Todd county;

An act to repeal part of an act, entitled "An act to authorize the Jackson county court to levy and collect a tax to build a courthouse;"

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, JANUARY 31, 1871.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act amending the several laws in relation to special judges of county and quarterly courts.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Ashland and Catlettsburg Turnpike Company.

An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854.

An act changing the time of holding the Carroll county court.

An act to incorporate the Caverna Deposit Bank.

An act authorizing school district No. 16, in Fulton county, to vote a tax to purchase school-house and lot.

An act to regulate appeals from police courts and mayor's courts.

With an amendment to the last named bill, which was taken up, and referred to the Committee on Courts of Justice.

A message was also received from the House of Representatives, announcing that they had passed bills and adopted a resolution, of the following titles, viz:

1. An act in relation to the sinking fund of Clark county.

2. An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5th, 1870.

3. An act to create a fifth magistrates' district in the city of Louisville.

4. An act for the benefit of William P. Carden, of Hart county.

5. An act to designate Tuesday as the first day of the circuit courts in the 5th judicial district.

6. An act to prevent the sale of spirituous liquors in the town of Burksville, in Cumberland county.

7. An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof.

8. An act empowering the trustees of Salem Presbyterian Church, in Clark county, to sell and convey certain lots or tracts of land on which their parsonage property and house of worship are situated, with authority to reinvest the proceeds of the sale.

9. An act to incorporate the Robertson Society and Literary Company, of Newport, Ky.

10. An act to incorporate the Hebrew Adath Israel congregation of the city of Owensboro.

11. An act to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869.

12. An act to incorporate the town of Sebree City, in Webster county.

13. An act to incorporate the town of Centre, in Metcalfe county.

14. An act to incorporate Napoleon Lodge, No. 216, of Ancient York Masons.

15. An act to incorporate the Widow and Orphan Cemetery Company, of Crab Orchard Lodge, No. 108, I. O. O. F.

16. An act to amend an act, entitled "An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town," approved February 25th, 1869.

17. An act to establish a cemetery in the town of Tollsboro, in Lewis county.

18. An act to incorporate Crab Orchard Lodge, No. 108, I. O. O. F.

19. An act to incorporate Canton Lodge, No. 13, of the Independent Order of Good Templars.

20. An act to authorize the board of councilmen of the city of Frankfort to subscribe to the capital stock of the Frankfort and Flat Creek Turnpike Road Company.

21. An act to amend an act, entitled "An act to incorporate the Covington and Horse Branch Turnpike Road Company."

22. An act regulating the rate of freights and tolls on the Paris and North Middletown Turnpike Road.

23. An act to repeal an act, entitled "An act to amend the charter of the Bath and Montgomery County Associated Turnpike Road Company."

24. An act to amend the charter of the Covington and DeCourcey Creek Turnpike Company.

25. An act for the benefit of Enoch Creech, of Clay county.

26. An act to authorize the court of claims of Johnson county to levy and collect an *ad valorem* tax for county purposes.

27. An act authorizing the county clerk to furnish cross-indexes for certain record books in Cumberland county.

28. An act concerning the retail of spirituous, vinous, or malt liquors in a part of Jefferson county.

29. An act to regulate and fix the county levy for Laurel county.

30. An act to amend an act, entitled "An act creating a sinking fund for Montgomery county," approved March 10th, 1856.

31. Resolution requesting the Insurance Commissioner to make investigation of the affairs of certain insurance companies.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 30th to the Committee on Sinking Fund; the 2d, 12th, 13th, 15th, and 16th to the Committee on Revised Statutes and Codes of Practice; the 3d, 5th, 26th, 27th, and 29th to the Committee on Courts of Justice; the 4th to the Committee on Finance; the 6th, 7th, 8th, 9th, 10th, 17th, and 28th to the Committee on Religion and Morals; the 9th and 11th to the Committee on Education; the 14th, 18th, and 19th to the Committee on the Judiciary; the 20th, 21st, 22d, 23d, 24th, and 25th to the Committee on Internal Improvement, and the 31st to the Committee on Banks and Insurance.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had

approved and signed an enrolled bill, which originated in the Senate, entitled

An act concerning the Court of Appeals.

A message in writing was also received from the Governor by Mr. Samuels, which was taken up and read, with the accompanying documents, as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, January 31, 1871.

Gentlemen of the Senate and House of Representatives:

A rumor reached me three days ago that an attempt at personal violence upon the Mail Agent on the downward train of the Lexington and Louisville Railroad had been made on the 26th inst., by some unknown person or persons, at North Benson Depot, in Shelby county.

I waited a day, hoping that some official statement would be made to me of this reported act of violence.

Receiving none, I directed the Adjutant General of the State to dispatch some reliable agent to North Benson, ascertain the facts attending the alleged assault, and report immediately. My request was promptly complied with, and I now transmit the written report of the Adjutant General touching this attempted assault upon the Mail Agent at that place.

No recommendation from me is necessary, I trust, to call forth promptly from you an indignant rebuke of this open violation, both of the laws of the United States and those of Kentucky.

You owe it to both Governments promptly to enact such laws as will tend to the capture of the offenders, and certainly prevent the recurrence of any such attempt in the future by bad men upon any officer or agent of the Federal or State Government.

As the Chief Magistrate of this Commonwealth, I have no power to take any step under the present law for the arrest or apprehension of these lawless offenders upon one of the most important agencies of the United States Government.

I do not possess the power to offer a reward for their apprehension, unless requested to do so by the civil authorities of the county within whose territorial limits the alleged offense was committed. I have no authority to order out either a civil *posse* or a militia force for the arrest of these men, except at the request of the civil authority, and none such has been made upon me.

The highest and most solemn duty of the General Assembly is to apply some prompt corrective to the increasing spirit of insubordination to law, and the open and daring attempts by bad men at its overthrow. I have too recently expressed at length my opinion on this subject to require repetition.

If our present laws are defective, amend them. If new ones are demanded by public exigencies, promptly enact them. If the means and agencies for the execution of the laws are defective and inefficient, then supply them, and confer upon the State officials charged with their execution discretion and authority to enforce obedience.

The Constitution of the United States, which created the Government of the Union, has made it wholly independent of the States for the execution of the powers assigned to it. Its means are adequate to its ends. It looks, therefore, to no State Government or State agency for the accomplishment of its constitutional objects.

But while this is true, it is the paramount duty of every State in the American Union to lend their prompt and ready assistance for the protection and safe accomplishment of all constitutional ends of the Federal Government within their territorial limits. If bad men seek to embarrass or obstruct such agencies, let the State authorities be as ready as those of the United States to bring such offenders to punishment. Such has always been the action of Kentucky in the past, and such, I doubt not, will it be in the future.

J. W. STEVENSON.

ADJUTANT GENERAL'S OFFICE,
FRANKFORT, KY., January 30, 1871.

To His Excellency, JOHN W. STEVENSON, *Governor and Commander-in-Chief:*

SIR: In accordance with your instructions, directing me to ascertain the facts connected with the late assault upon the United States Mail Agent at North Benson Depot, in Shelby county, on the 26th inst., I have the honor to report, that I sent a reliable agent to the scene on the 29th inst., who returned with the inclosed statement of facts, as given by Mr. H. C. Hodges, the local Mail Agent and Depot-Master at that Depot.

Very respectfully,

J. STODDARD JOHNSTON,
Adjutant General of Kentucky.

[COPY.]

LOUISVILLE, CINCINNATI, AND LEXINGTON RAILROAD,
NORTH BENSON STATION, January 29, 1871.

I hailed the train for a passenger to go to Louisville. Four strangers rode up just before the 3:45 train was due. When the train was within seventy-five yards of the station, the stoutest man of the party stepped out on the platform and drew a Colt's navy revolver, saying he intended to kill the negro Mail Agent. I begged him to desist, and called on some gentlemen to disarm him. His own friends came around him and took his pistol from him. When the train was even with the platform, and running very slow, the man, still bent on assaulting the negro, jumped into the mail-car alone, and attempted to drag the Mail Agent out; but the train moving off very quick, he was frustrated, and jumped from the train after it was in motion. There was only one man entered the car; the other three ran up alongside of the mail-car, but took no part. After the train started off, one of the men fired a pistol into the air. The men were all strangers in this section, and rode off as soon as the train went out of sight.

(Signed) H. C. HODGES.

NORTH BENSON, January 30, 1871.

I sent a correct statement of the whole affair to the Louisville Commercial on the 27th inst.

(Signed) H. C. HODGES.

On motion of Mr. Vallandingham,

Ordered, That said message and documents be printed, and referred to the select committee on the subject of law and order.

The following petitions were presented, viz:

By Mr. Prichard—

1. The petition of J. C. Eastham, asking an allowance for conveying a lunatic to the Eastern Lunatic Asylum, together with orders of court relative thereto.

By Mr. Standeford—

2. The petition of the directors and officers of the Kentucky Farmers' Mutual Insurance Company, asking that said company be exempted from the operation of the general insurance laws in certain regards.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Courts of Justice, and the 2d to the Committee on Banks and Insurance.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of H. M. Wade, late sheriff of Marshall county.

An act to provide for the establishment of the line between Franklin and Owen counties.

An act to extend the boundary of the town of South Carrollton.

An act to amend an act authorizing the presiding judge of Fayette county to appoint a treasurer to serve during his term.

An act to provide for the erection of school buildings in the town of Cloverport.

An act changing the time for holding county courts in Harrison county.

An act for the benefit of school district No. 41, in Knox county.

An act to amend an act, approved March 17, 1870, to change the time of holding circuit courts in the 11th judicial district.

An act to amend the charter of Swift's Iron and Steel Works, in Campbell county.

An act to change the times for holding the Garrard circuit court.

An act to regulate the holding of the special term of the Bourbon circuit court.

An act to amend the Florence and Independence Turnpike charter.

An act to amend an act, entitled "An act to incorporate the Shelby County Agricultural and Mechanical Association."

An act authorizing the legal voters of the county of Lee to locate the county seat of said county by vote.

Leave was given to bring in the following bills, viz :

On motion of Mr. Chenoweth—

1. A bill to authorize the county court of Franklin county to take a vote to levy a tax for turnpike purposes.

On motion of Mr. Lyttle—

2. A bill to incorporate the Kentucky River Salt Manufacturing and Banking Company, in Perry county.

On motion of Mr. Prichard—

3. A bill concerning the fees of county attorneys.

On motion of same—

4. A bill for the benefit of the Lawrence county court.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st and 2d, and the Committee on Courts of Justice the 3d and 4th.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Tyler, from the Committee on Courts of Justice—

An act for the benefit of the judge of the city court of Louisville.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to incorporate the Hopkins Coal Company," approved February 18th, 1867.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Clarke, from the Committee on Education—

1. A bill to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts.

By Mr. Chenoweth, from the Committee on Internal Improvement—

2. A bill to authorize the county court of Franklin county to take a vote to levy a tax for turnpike purposes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be recommitted to the Committee on Education, and that the 2d be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Tyler, from the Committee on Courts of Justice, reported a bill, entitled

A bill for the benefit of John C. Gardner, late clerk of the Fulton circuit court.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, John C. Gardner, late clerk of the Fulton circuit court, did, in obedience to an order of the Fulton circuit court, make a full and complete index to all the order-books and execution books of said court, the old ones having been lost and mislaid and mutilated; and whereas, there is no law authorizing payment for the same; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasurer of State in favor of John C. Gardner, for the sum of two hundred and ten dollars, to be paid out of any money unexpended in the Public Treasury.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	J. B. Hayden,	I. A. Spalding,
W. H. Chelf,	G. A. C. Holt,	E. D. Standeford,
J. Q. Chenoweth,	Wm. Johnson,	A. G. Talbott,
John B. Clarke,	John W. Johnson,	Oscar Turner,
Harrison Cockrill,	D. Y. Lyttle,	H. A. Tyler,
Lyttleton Cooke,	W. H. Payne,	W. L. Vories,
W. McKee Fox,	K. F. Prichard,	Ben. J. Webb—22.
Joseph Gardner,		

Those who voted in the negative, were—

Mr SPEAKER (Leslie),	J. H. Dorman,	A. C. Vallandingham,
A. K. Bradley,	Edwin Hawes,	I. C. Winfrey—7.
Wm. L. Conklin,		

Resolved, That the title of said bill be as aforesaid.

Mr. Tyler, from the Committee on Courts of Justice, asked that said committee be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to amend the law in relation to county judges, approved February 13th, 1858.

And the question being taken on discharging the committee, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	William Johnson,
Robert Boyd,	W. McKee Fox,	D. Y. Lyttle,
W. H. Chelf,	Joseph Gardner,	I. A. Spalding,
John B. Clarke,	Edwin Hawes,	I. C. Winfrey—13.
Wm. L. Conklin,		

Those who voted in the negative, were—

F. M. Allison,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	John W. Johnson,	H. A. Tyler,
R. A. Burton,	W. H. Payne,	A. C. Vallandingham,
J. Q. Chenoweth,	Lewis Perrin,	W. L. Vories,
Harrison Cockrill,	K. F. Prichard,	Ben. J. Webb,
Lyttleton Cooke,	E. D. Standeford,	Thos. Wrightson—20.
J. B. Hayden,	A. G. Talbott,	

Whereupon, Mr. Tyler, from the said committee, reported the said bill, entitled

A bill to amend the law in relation to county judges, approved February 13th, 1858.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act to amend the law in relation to county judges," approved February 13th, 1858, be, and the same is so amended, as that hereafter any county judge who is a licensed lawyer may form partnerships with licensed lawyers to practice law in any courts except his own, or such as from whence appeals may be taken to his court.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Allison, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	G. A. C. Holt,	E. D. Standeford,
A. K. Bradley,	John W. Johnson,	A. G. Talbott,
R. A. Burton,	D. Y. Lyttle,	Oscar Turner,
J. Q. Chenoweth,	A. L. McAfee,	H. A. Tyler,
Harrison Cockrill,	W. H. Payne,	A. C. Vallandingham,

Joseph Gardner, Lewis Perrin, Thos. Wrightson—20.
J. B. Hayden, K. F. Prichard,

Those who voted in the negative, were—

Mr. SPEAKER (Leslie), J. H. Dorman, I. A. Spalding
Robert Boyd, W. McKee Fox, W. L. Vories,
W. H. Chelf, Edwin Hawes, Ben. J. Webb,
John B. Clarke, William Johnson, I. C. Winfrey—13.
Wm. L. Conklin,

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend section 345, title 9, chapter 2, article 1, of the Civil Code of Practice,

With the pending amendment.

The bill, as heretofore amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section three hundred and forty-five (title nine, chapter two, article one) of the Civil Code of Practice be, and the same is amended, by striking from the last sentence of said section the words, "they shall be taken as true," and substituting in lieu thereof the following: "The absent witness, if present, would testify as mentioned in the affidavit;" so that the sentence, as amended, shall read as follows: "If thereupon the adverse party will consent that, on the trial, the absent witness, if present, would testify as mentioned in the affidavit, the trial shall not be postponed for that cause."

§ 2. This act shall take effect and be in force from its passage.

The pending amendment, which was proposed by Mr. Wm. Johnson, is as follows, viz:

Add to the first section of said bill the words "and the said affidavit shall be read on the trial as a deposition."

The question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Spalding then moved to further amend said bill, by adding to the first section, as amended, the words "*Provided, however*, That this act shall not apply to criminal trials and proceedings."

Mr. Wm. Johnson then moved to amend the first section of said bill, and the amendment proposed by Mr. Spalding, by substituting in lieu of both the following, viz:

That section three hundred and forty-five (title nine, chapter two, article one) of the Civil Code of Practice be, and the same is so amended, that hereafter, in the trial of civil actions, if the adverse party will consent that the absent witness, if present, would testify as stated in the affidavit, the trial shall not be postponed for that cause, and said affidavit shall be read upon the trial as a deposition.

The question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holt and Turner, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Joseph Gardner,	W. H. Payne,
W. H Chelf,	Edwin Hawes,	Lewis Perrin,
J. Q. Chenoweth,	J. B. Hayden,	K. F. Prichard,
Harrison Cockrill,	Wm. Johnson,	Oscar Turner,
Lyttleton Cooke,	John W. Johnson,	A. C. Vallandingham,
J. H. Dorman,	D. Y. Lyttle,	H. A. Tyler—18.

Those who voted in the negative, were—

Mr SPEAKER (Leslie),	Wm. L. Conklin,	A. G. Talbott,
F. M. Allison,	W. McKee Fox,	W. L. Vories,
Robert Boyd,	G. A. C. Holt,	Ben. J. Webb,
A. K. Bradley,	I. A. Spalding	I. C. Winfrey,
John B. Clarke,	E. D. Standeford,	Thos. Wrightson—15.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

On motion of Mr. Spalding, an amendment to said bill was adopted.

Mr. Vories then moved an amendment to said bill.

Mr. Turner moved that the further consideration of said bill and proposed amendment be postponed till to-morrow at 11 o'clock, A. M.

And the question being taken on said motion, it was decided in the affirmative.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common school district No. 35, in Allen county;

An act to regulate the election of a treasurer for Bourbon county;

An act to amend chapter 15, article 3, section 3, of the Revised Statutes;

An act for the benefit of St. Peter's Protestant Episcopal Church in Paris;

An act for the benefit of Estill Seminary;

An act for the benefit of Martin S. Price, of Logan county;

An act declaring Chadwick's creek, in Boyd county, a navigable stream;

An act to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Duncansville and Chaplin Turnpike Road Company;"

An act declaring certain tributaries of the Kentucky river navigable streams;

An act for the benefit of the trustees of the town of Shepherdsville;

An act to amend the charter of the Shelby Railroad Company;

An act to amend an act, entitled "An act to incorporate the Madisonville and Shawneetown Straight-Line Railroad Company," approved February 18, 1870;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 1, 1871.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Boone county.

An act to repeal part of an act, entitled "An act to authorize the Jackson county court to levy and collect a tax to build a court-house."

An act to amend the charter of the town of Allensville, in Todd county.

An act to continue in force an act, entitled "An act to run, mark, and define the line between the counties of Bourbon and Montgomery."

An act to legalize certain acts of the Boone county court.

An act for the benefit of Caseyville, in Union county.

An act to prevent the destruction of fish in Cumberland river, above the falls.

Also announcing that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to reduce the price of vacant lands in this Commonwealth," approved March 9th, 1854.

2. An act to amend an act, entitled "An act to incorporate St. Paul's Protestant Episcopal Church in Newport, Kentucky," approved February 10th, 1845.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance, and the 2d to the Committee on Religion and Morals.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the protection of livery-stable keepers in this Commonwealth.

An act to incorporate the Big Sandy Navigation and Manufacturing Company.

An act to incorporate the town of Earlington, in Hopkins county.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 1, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

Albert G. Winston, Boone county.
Irvin H. Eddy, Jefferson county.
J. C. Montfort, Henry county.
J. J. Orr, Carroll county.
John G. Bailley, Webster county.
Edward Pate, Breckinridge county.
John B Cassidy, Lyon county.
Wm. M. Dickey, Woodford county.

Very respectfully,
J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

The Speaker laid before the Senate the Report of the Keeper of the Penitentiary, which was read as follows, viz:

[*For Report—See Legislative Document No.* 10.]

Ordered, That the Public Printer print the usual number of copies of said report.

The following petitions, remonstrance, and memorial were presented, viz:

By Mr. Spalding—

1. The petition and resolution of citizens of Columbus, Georgia, in relation to the Cincinnati Southern Railway.

By Mr. Connor—

2. The remonstrance of citizens of Bath county, protesting against the division of said county.

By same—

3. The remonstrance of citizens of Nicholas county, protesting against the division of said county.

By same—

4. The remonstrance of citizens of Bourbon county, protesting against the division of said county.

By same—

5. The petition of citizens of Clark county, asking that the sale of liquors be not restricted within three miles from Dunnaway's Chapel.

By Mr. Chenoweth—

6. Memorial from the board of trustees of Harrodsburg, in regard to the sale of liquors in said town.

By Mr. Vories—

7. The petition of sundry citizens of Oldham county, asking an appropriation for Mrs. Ann Wade, widow of W. M. Wade, late jailer of Oldham county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Railroads; the 2d, 3d, and 4th to the Committee on Propositions and Grievances; the 5th and 6th to the Committee on Religion and Morals, and the 7th to the Committee on Finance.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Spalding, from the Committee on Banks and Insurance, reported a bill, entitled

A bill to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made the special order of the day for Saturday next, February 4th.

Mr. Talbott, from the Committee on Charitable Institutions, asked to be discharged from the further consideration of a leave to them referred, to bring in a bill, entitled

A bill to incorporate Odd Fellows' Hall Company, in the town of Nicholasville, in Jessamine county.

Which was granted.

Mr. Talbott, from same committee, reported a bill, entitled

A bill for the benefit of the Kentucky Eastern Lunatic Asylum.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the several sums hereinafter specified be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the Kentucky Eastern Lunatic Asylum, to be applied by the Board of Managers of said Asylum in the following manner, viz: The sum of five thousand dollars is hereby appropriated, to be applied by said Board of Managers to repairing and restoring the buildings injured and destroyed by the late fire of said Asylum; and the sum of three thousand dollars is hereby appropriated, to be applied by said Board of Managers to repairing the old fencing, and in building new fencing on the farm belonging to said Asylum; and the sum of fifteen hundred dollars is hereby appropriated, to be applied by said Board of Managers to repairing the roof, windows, doors, &c., of the old Asylum buildings; and the Auditor, on the application of the President of said Board of Managers, is hereby authorized and instructed to issue his warrant on the Treasurer for the payment of the same.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	G. W. Connor,	W. H. Payne,
R. A. Burton,	W. McKee Fox,	E. D. Standeford,
W. H. Chelf,	William Johnson,	A. G. Talbott,
J. Q. Chenoweth,	John W. Johnson,	A. C. Vallandingham,
John B. Clarke,	D. Y. Lyttle,	W. L. Vories,
Harrison Cockrill,	A. L. McAfee,	I. C. Winfrey—18.

Those who voted in the negative, were—

Mr. Speaker (Leslie),	J. H. Dorman,	K. F. Prichard,
Robert Boyd,	Edwin Hawes,	I. A. Spalding,
A. K. Bradley,	J. B. Hayden,	H. A. Tyler,
Wm. L. Conklin,	G. A. C. Holt,	Ben. J. Webb—14.
Lyttleton Cooke,	Lewis Perrin,	

So said bill not having received a constitutional majority, was rejected.

Mr. Tyler then moved to reconsider the vote by which said bill was rejected.

Which motion was entered.

Mr. Payne, from the Committee on the Judiciary, reported a bill, entitled

A bill to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Hawes moved that said bill be printed.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall not be lawful for the receiver of the Louisville chancery court to be the commissioner or deputy commissioner, clerk or a deputy clerk, of said court.

§ 2. That the receiver and commissioner of said court shall be removable at the pleasure of said court, and that once in every four years, and as often as a vacancy may occur, the court shall appoint a receiver, who shall receive all moneys paid into court, unless immediately ordered out, or unless the court, for cause, may appoint a special receiver in any case. The receiver, before entering on the duties of said office, shall take an oath that he will faithfully and honestly discharge the duties of said office, and shall give bond in the sum of one hundred thousand dollars, with good security, to be approved by the court, payable to the clerk of the court, conditioned that he shall correctly and faithfully discharge all the duties of said office, and account for all moneys received by him, and pay the same to the parties entitled thereto, whenever so ordered by the court; any party interested in said funds shall have the right of action on said bond for a breach of its conditions; and the court shall have power, by rule and attachment, against the receiver and his sureties, to enforce obedience to its orders to pay money and make good any deficit in the moneys which shall or may have come into his hands.

§ 3. The receiver shall deposit the funds of said court received by him in some bank chartered by the laws of this Commonwealth, and doing business in the city of Louisville, and which bank shall have

a capital of not less than one hundred thousand dollars actually and *bona fide* paid in, after such bank shall have given bond, with good security, to be approved by the court, in the sum of one hundred thousand dollars, payable to the clerk of the court, conditioned to pay all moneys deposited by the receiver upon and under any check that he may draw on said depository by order of court; any party interested shall have the right of action on said bond for a breach of the same, and the court shall have power, by rule and attachment, against the parties to said bond, to enforce the payment of any such check. The said receiver and his sureties shall not be bound for any default of said bank, but for any other breach shall be bound as provided in the preceding section.

§ 4. Twice in each year, on the first Friday in January and the first Friday in July, the receiver shall report to the court the aggregate amount of funds in court, giving the style of the cause in which any money may remain, and the amount in each cause, and what sums have been ordered to be paid, which have not been called for, and the parties entitled to the same; and upon the first day of August, in each year, he shall cause to be published in the daily paper published in the city of Louisville having the largest *bona fide* circulation, a statement of such sums as have remained in court more than two years, showing in what causes said sums remain, and how long, and when they have been ordered out, and the parties entitled to the same; for which, and to pay the expense of publication, the said receiver shall receive the sum of ten cents for each publication of each and every sum and name so published, to be deducted out of the funds in his hands to which each of such persons is entitled.

§ 5. One year after each publication provided for in the last section the court shall order said receiver to pay into the Treasury of the Commonwealth all sums which have remained in court for ten years or more previous to said publication; and said receiver shall pay over said sums, and furnish the Auditor with a statement of the sums so paid into the Treasury, and the Treasurer shall execute duplicate receipts for the same, one of which shall be filed and preserved in the Auditor's office, and the other kept by said receiver. The moneys so paid into the Treasury shall be accounted for as a part of the ordinary revenues of the Commonwealth; but whenever the party entitled to the same, or his personal representative, shall apply to the said court, and make due proof of the justice of his claim, said court shall certify the same to the Auditor of State, who, upon said certificate shall draw his warrant on the Treasurer in favor of the party entitled for said sum, without interest.

§ 6. Upon the appointment of a receiver of said court, the former receiver, or his personal representative, shall be required by the court to settle his accounts, and shall, when ordered by the court, pay over to his successor the funds in his hands, and also deliver to him all the books and papers pertaining to said office; and the bank in which the funds of said court shall be deposited shall pay any check drawn by the new receiver by order of said court, out of the funds on deposit at the time.

§ 7. That once in every four years, or as often as a vacancy may occur, the court shall appoint a commissioner for said court, who shall take the oath now required of him by law. Said commissioner may, with the approval of the court, appoint such deputies and assistants as the business of his office may require. His fees for taking depositions shall be the same allowed as by law to examiners, and for reports and other services the court shall allow him a reasonable compensation as the masters in chancery are allowed by the circuit courts; and in all sales made under decrees of the court, where specified amounts are ordered to be raised, the marshal of said court shall add five dollars and a sufficient amount to cover the revenue stamps for making a deed, which the commissioner will be allowed to withdraw from the proceeds of sale.

§ 8. All laws in conflict with this act are hereby repealed, and this act shall take effect from its passage.

Mr. Alexander moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	W. McKee Fox,	E. D. Standeford,
Jos. M. Alexander,	Joseph Gardner,	A. G. Talbott,
A. K. Bradley,	William Johnson,	H. A. Tyler,
W. H. Chelf,	D. Y. Lyttle,	A. C. Vallandingham,
J. Q. Chenoweth,	A. L. McAfee,	W. L. Vories,
Lyttleton Cooke,	W. H. Payne,	I. C. Winfrey—20.
J. H. Dorman,	K. F. Prichard,	

Those who voted in the negative, were—

F. M. Allison,	Edwin Hawes,	John W. Johnson,
John B. Clarke,	J. B. Hayden,	Lewis Perrin,
Wm. L. Conklin,	G. A. C. Holt,	I. A. Spalding—10.
G. W. Connor,		

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments,"

With the pending amendment proposed by Mr. Vories.

Mr. Boyd moved an amendment to said amendment.

On motion of Mr. Spalding,

Ordered, That the further consideration of said bill and proposed amendments be postponed till to-morrow at 10¼ o'clock, A. M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Perrin—

1. A bill to change the time of holding the quarterly courts of Harrison county.

On motion of Mr. Alexander—

2. A bill to enlarge the boundary of the town of Grayson, in Carter county.

On motion of Mr. Chenoweth—

3. A bill for the benefit of S. S. McFatridge, late sheriff of Mercer county.

On motion of same—

4 A bill for the benefit of Richard Board, clerk of the Mercer circuit court.

On motion of Mr. Boyd—

5. A bill for the benefit of C. C. Harbin, jailer of Laurel county.

On motion of same—

6. A bill for the benefit of G. W. Nichols, of Grant county.

On motion of Mr. McAfee—

7. A bill for the benefit of the heirs of Mrs. Mary Scott, of Jessamine county.

On motion of Mr. Connor—

8. A bill for the benefit of Mrs. Kate Butler, of Bath county.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on Internal Improvement the 2d; the Committee on Finance the 3d and 6th; the Committee on Propositions and Grievances the 4th and 5th; the Committee on Claims the 7th, and the Committee on the Judiciary the 8th.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act changing the time of holding the Carroll county court;

An act to incorporate the Caverna Deposit Bank;

An act authorizing school district No. 16, in Fulton county, to vote a tax to purchase school-house and lot;

And enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of New Concord, in Calloway county;

An act to reduce into one the acts concerning the town of Barboursville, fixing the boundary of said town, and for other purposes;

An act to continue in force for five years an act, entitled "An act for the benefit of Crittenden county," approved February 10th, 1865;

An act to authorize the Crittenden county court to issue county bonds to aid in rebuilding the court-house in said county;

An act for the benefit of Samuel Biggerstaff, late sheriff of Madison county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, FEBRUARY 2, 1871.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company," approved February 23, 1856.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1870.

With sundry amendments to the last named bill, which were referred to the Committee on Internal Improvement.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which

originated in the House of Representatives, of the following titles, viz:

An act declaring certain tributaries of the Kentucky river navigable streams.

An act for the benefit of the trustees of the town of Shepherdsville.

An act to amend the charter of the Springfield, Pleasant Run, and Mackville Turnpike Road Company.

An act to incorporate the Monterey Bridge Company.

An act to amend the charter of the Shelby Railroad Company.

An act to regulate the election of a treasurer for Bourbon county.

An act for the benefit of St. Peter's Protestant Episcopal Church in Paris.

An act for the benefit of Estill Seminary.

An act for the benefit of common school district No. 35, in Allen county.

An act to amend chapter 15, article 3, section 3, of the Revised Statutes.

An act for the benefit of Martin S. Price, of Logan county.

An act to amend an act, entitled "An act to incorporate the Duncansville and Chaplin Turnpike Road Company."

An act to amend an act, entitled "An act to incorporate the Madisonville and Shawneetown Straight-Line Railroad Company," approved February 18, 1870.

An act declaring Chadwick's creek, in Boyd county, a navigable stream.

Also announcing that they had passed a bill, entitled

An act to prohibit the sale or other disposition of spirituous, vinous, or malt liquors near Fox Creek Church, in Anderson county.

Which bill was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Religion and Morals.

Mr. Spalding offered the following resolution, viz:

WHEREAS, The Christian Church in this city has been destroyed by fire, and the congregation are unprovided with a suitable place of worship; therefore, be it

Resolved, That the Senate Chamber is hereby tendered to said congregation of Christians, to be occupied and used by them on all Sundays for purposes of divine worship, until they can provide some other suitable place.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Prichard—

1. A bill to amend the charter of the town of Catlettsburg.

On motion of Mr. J. W. Johnson—

2. A bill to incorporate the Hartford and Shawneetown Railroad Company.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st, and the Committee on Railroads the 2d.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments,"

With the amendment proposed by Mr. Vories, and the amendment proposed thereto by Mr. Boyd, pending.

Mr. Conklin moved to recommit said bill and pending amendments to the select committee on law and order.

Mr. Turner moved to postpone the further consideration of said bill and amendments until 10½ o'clock, A. M., to-morrow.

The question being taken on said motion to postpone, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conklin and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	William Johnson,	H. A. Tyler,
A. K. Bradley,	John W. Johnson,	A. C. Vallandingham,
R. A. Burton,	D. Y. Lyttle,	W. L. Vories,
J. Q. Chenoweth,	Lewis Perrin,	Ben. J. Webb,
Harrison Cockrill,	A. G. Talbott,	I. C. Winfrey,
Lyttleton Cooke,	Oscar Turner,	Thos. Wrightson—19.
J. H. Dorman,		

Those who voted in the negative, were—

F. M. Allison,	W. McKee Fox,	A. L. McAfee,
Robert Boyd,	Joseph Gardner,	W. H. Payne,
W. H. Chelf,	Edwin Hawes,	I. A. Spalding,
John B. Clarke,	J. B. Hayden,	E. D. Standeford,
Wm. L. Conklin,	G. A. C. Holt,	Emery Whitaker—15.

On motion of Mr. Conklin, leave of indefinite absence was granted to Mr. Payne.

And then the Senate adjourned.

FRIDAY, FEBRUARY 3, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills which originated in the House of Representatives, of the following titles, viz:

An act concerning arrearages of pay due deceased soldiers.

An act for the benefit of Olivia Stewart and her husband, William Stewart.

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities.

Also announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Mississippi and Southern Atlantic Railroad Company.

An act to amend the charter of the River Road Company, of Jefferson county.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the police judge of the town of Hawesville.

2. An act to amend section 47, Criminal Code of Practice.

3. An act in relation to depositions heretofore taken, and oaths heretofore administered, by persons known as examiners.

4. An act authorizing the issue of county bonds by the court of claims of Shelby county.

5. An act to repeal an act, entitled "An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same," approved January 26th, 1871.

6. An act revising the charter of the city of Paducah.

Which bills were severally taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, and 5th to the Committee on Courts of Justice; the 2d to the Committee on Revised Statutes and Codes of Practice, and the 3d and 6th to the Committee on the Judiciary.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act changing the time of holding the Carroll county court.

An act authorizing school district No. 16, in Fulton county, to vote a tax to purchase school-house and lot.

The following petitions and remonstrance were presented, viz:

By Mr. Prichard—

1. The petition of citizens of Boyd county, asking that they be allowed to determine by vote whether the sale of liquors shall be restricted in said county.

By Mr. Gardner—

2. The petition of sundry citizens of Breathitt county, asking the repeal of the law prohibiting the sale of spirits in said county, so far as distillers are concerned.

By same—

3. The remonstrance of citizens of Breathitt county, protesting against any contraction of their county boundary.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Religion and Morals, and the 3d to the Committee on Propositions and Grievances.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act authorizing the county court clerk to furnish cross-indexes for certain record books in Cumberland county.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky," approved February 10th, 1845.

By Mr. Winfrey, from the Committee on Propositions and Grievances.

An act to protect the public highways in Clark and Montgomery counties.

With an amendment thereto.

By Mr. Cooke, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the

Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869.

With two amendments thereto.

Which amendments to the last two named bills were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the last named, the title of which is amended to read,

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869.

Mr. Cooke, from the Committee on Railroads, to whom had been referred a bill from the House of Representatives, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth,

Reported the same without any expression of opinion.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Tuesday next, February 7th.

Mr. Wm. Johnson, from the Committee on Courts of Justice, to whom had been referred a bill from the House of Representatives, entitled

An act to regulate and fix the county levy for Laurel county,

Reported the same, with the expression of opinion that it ought not to pass.

The question was taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

Mr. J. W. Johnson, from the Committee on Religion and Morals, offered to report bills, which originated in the House of Representatives, to them referred, of the following titles, viz:

An act to incorporate the First Colored Baptist Church of Russellville.

An act to incorporate the Hebrew Adath Israel congregation of the city of Owensboro.

An act to establish a cemetery in the town of Tollsboro, in Lewis county.

The Speaker announced, that, under the rule of the Senate, No. 81, it was not in order to entertain said bills.

So said bills were not considered.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Cockrill, from the Committee on Finance—

A bill for the benefit of Henry B. Wiseman, of Estill county.

By Mr. Boyd, from the Committee on Propositions and Grievances—

A bill for the benefit of C. C. Harbin, jailer of Laurel county.

By Mr. Cooke, from the Committee on Railroads—

A bill to regulate the manner of constructing cattle-guards on railroads in this Commonwealth.

By. Mr. J. W. Johnson, from the Committee on Religion and Morals—

A bill prohibiting the vending of ardent, malt, or vinous spirits in Magoffin county.

By Mr. Fox, from the Committee on Courts of Justice—

A bill to empower the county court of Lawrence county to levy an additional tax in said county.

By Mr. Tyler, from same committee—

A bill to change the time of holding quarterly courts in Harrison county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tyler, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

A bill to prohibit the sale of spirituous, malt, vinous, or other intoxicating liquors, in the town of Campbellsville, Ky., or within one mile of the court-house,

Asked to be discharged from the further consideration of the same.

Which was granted.

Mr. Fox, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to repeal an act, entitled "An act to prohibit county judges to bring suits to settle the estate of deceased persons," approved February 11th, 1867,

Asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Wm. Johnson, from the Committee on Courts of Justice, to whom was referred the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to regulate appeals from police courts and mayor's courts,

Reported that said amendment should be concurred in.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Ashland and Catlettsburg Turnpike Company;

An act to amend an act, entitled "An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company," approved February 23, 1856;

An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act concerning arrearages of pay due deceased soldiers;

An act to amend an act, entitled "An act to incorporate the Hopkins Coal Company," approved February 18th, 1867;

An act for the benefit of Olivia Stewart and her husband, Wm. Stewart;

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities;

An act for the benefit of the judge of the city court of Louisville;

An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

Mr. Vallandingham read and laid on the table a joint resolution.

Mr. Vallandingham moved to dispense with the rule requiring joint resolutions to lie one day on the table.

And the question being taken thereon, it was decided in the negative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments,"

With the amendment proposed by Mr. Vories, and the amendment proposed by Mr. Boyd to said amendment, pending.

Said bill, as originally reported, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful for any person within this State to belong to or become a member of, or in anywise to be connected with, the organization known as the Ku-Klux, or any secret organization not recognized by the laws of this Commonwealth. Any person so offending shall be deemed guilty of a misdemeanor, and, on conviction, fined not less than fifty nor more than five hundred dollars, or imprisoned in the county jail for not less than six nor more than twelve months, or both so fined and imprisoned, at the discretion of the jury; but the provisions of this section shall not apply to any organization for literary, scientific, commercial, mechanical, charitable, or eleemosynary purposes.

§ 2. It shall be unlawful for any person or persons, masked or otherwise disguised, to be in or travel through any part of this State, for the purpose of alarming the inhabitants, disturbing the public peace, or otherwise violating the laws; and the fact of being masked or disguised shall be deemed *prima facie* evidence of such unlawful purpose on the part of the person or persons so masked or disguised. Any person so offending shall be deemed guilty of a misdemeanor, and, on conviction, fined not less than fifty nor more than five hundred dollars, or imprisoned in the county jail for a period of not less than six nor more than twelve months, or both so fined and imprisoned, at the discretion of the jury: *Provided, however*, That nothing in this section shall apply to persons masked or disguised for purposes of social enjoyment.

§ 3. If any person or persons so masked or disguised shall enter upon, or shall demand, attempt, or force an entrance upon the premises, or into the house or inclosure of any inhabitant of this

State, contrary to the wishes of the person occupying the same, he or they shall be deemed guilty of a high misdemeanor, and on conviction, punished by a fine of not less than five hundred dollars, or imprisonment in the county jail not less than six nor more than twelve months, or both so fined and imprisoned, at the discretion of the jury.

§ 4. If any person or persons, whilst masked or disguised, as forbidden in section two of this act, or in doing any act prohibited by section three of this act, shall assault another with a weapon, he or they shall be deemed guilty of an assault with intent to kill, and, on conviction, punished by confinement in the penitentiary for a period of not less than one year nor more than five years.

§ 5. If any person or persons, whilst masked or disguised, as prohibited in section two, or in doing any act prohibited by section three of this act, shall cause an affray or breach of the peace, in which any person is struck, cut, or stabbed with a knife, sword, or other deadly weapon, or shot with a gun, pistol, or other deadly weapon, and death ensue, he or they shall be deemed guilty of a felony, and, on conviction, suffer death by hanging, or confinement in the penitentiary for a period of not less than five nor more than ten years, in the discretion of the jury; and if death shall not ensue, then the offender or offenders shall, on conviction, be confined in the penitentiary for a period of not more than five years.

§ 6. Any person who shall aid or abet a party or parties engaged in a violation of the foregoing provisions of this act, shall be deemed guilty and punished as a principal.

§ 7. Any person who shall rescue, attempt to rescue, or in anywise aid or abet in the rescue of any person or persons who may be in custody under charge of violating any of the provisions of this act, or undergoing punishment therefor, shall be deemed guilty of a felony, and, on conviction, punished by confinement in the penitentiary for not less than five nor more than ten years.

§ 8. The judges of the several circuit and criminal courts of this Commonwealth be, and they are hereby, required to give this act in charge to the grand juries at each term of their respective courts.

§ 9. It shall be the duty of the judges of circuit, criminal, county, city, and police courts, mayors of cities, and chairmen of boards of trustees or councilmen of towns, and of justices of the peace, upon their personal knowledge, or on information, on oath, of the violation of any of the first seven sections of this act, immediately to issue a warrant for the arrest of the offender or offenders; and it shall be the duty of the sheriffs, constables, coroners, jailers, marshals, and policemen, to whom the said warrants may be directed, promptly to execute the same; and, if necessary, to call to their aid the power of the county, as provided in chapter 1, title 10, of the Criminal Code of Practice; and the offender shall be dealt with as now provided by law in other cases. And for the failure of any of said magistrates or other officers to discharge said duties, without a reasonable excuse for such failure, he or they shall be liable to indictment by the grand jury, and, on conviction, shall be fined not less than two hundred nor more than one thousand dollars.

§ 10. That any of the judges or magistrates mentioned in section nine, or the judge of any common pleas or chancery court of this State, who, from his personal knowledge, or from information, on oath, has reasonable grounds to apprehend that an attempt is about to be made, or is being made, to rescue any person or persons charged with violating the provisions of this act, from the officers having him or them in custody, or to resist the officer having a warrant for the arrest of such offender in the execution thereof, he may call into requisition the power of the county, as provided in chapter 1, title 10, of the Criminal Code of Practice, to prevent such rescue, or to aid in the execution of the writ.

§ 11. That, for the purpose of carrying into effect the provisions of this act, the sum of twenty-five thousand dollars is hereby set apart, out of any moneys in the Treasury not otherwise appropriated, and placed at the disposal of the Governor of this Commonwealth, and he is authorized to draw his warrant on the Treasurer for such part thereof as he may, from time to time, deem necessary.

§ 12. This act to take effect and be in force from and after its passage.

The amendment proposed by Mr. Spalding, and adopted on January 31st, ult., reads as follows, viz:

Strike out the 4th section, and insert in lieu thereof the following as section 4th, viz: If any person or persons, whilst masked or disguised, as prohibited in section two of this act, or in doing any act prohibited by section three of this act, shall assault another with a weapon, he or they shall be deemed guilty of an assault with malicious intent, and, on conviction, punished by a fine of not less than five hundred dollars, or imprisonment in the county jail for a period of not less than six nor more than twelve months, or both so fined and imprisoned, at the discretion of the jury.

The amendment proposed by Mr. Vories is as follows, viz:

"Strike out the first section."

The amendment proposed thereto by Mr. Boyd, as as substitute therefor, reads as follows, viz:

Strike out in the first section all after the words "this Commonwealth," and insert the words, "or by the laws of the United States: *Provided*, Such organization is for an unlawful purpose; and the objects of any secret organization shall be judged by its acts; and if the members of any such secret organization, or any considerable numbers thereof, band themselves together, and while thus organized commit any unlawful act, such act thus committed shall be *prima facie* evidence that the objects of the organization to which they belong are unlawful."

The question was taken on the adoption of Mr. Boyd's amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. A. C. Holt,	Thos. Wrightson—4.
Harrison Cockrill,		

Those who voted in the negative, were—

Mr. Speaker (Leslie),	Edwin Hawes,	A. G. Talbott,
A. K. Bradley,	J. B. Hayden,	Oscar Turner,
R. A. Burton,	William Johnson,	H. A. Tyler,
Jno. G. Carlisle,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
John B. Clarke,	Lewis Perrin,	Ben. J. Webb,
Lyttleton Cooke,	K. F. Prichard,	Emery Whitaker,
J. H. Dorman,	I. A. Spalding,	I. C. Winfrey—25.
Joseph Gardner,		

Mr. Spalding then moved to amend the amendment proposed by Mr. Vories, by substituting in lieu thereof the following, viz:

Strike out the first section, and insert the following words as section 1st, viz: That it shall be unlawful for any person within this State to belong to, or become a member of, or in anywise to be connected with, any organization not recognized by the laws of the land. Any person so offending shall be deemed guilty of a misdemeanor, and, on conviction, fined not less than fifty nor more than five hundred dollars, or imprisoned in the county jail for not less than six nor more than twelve months, or both so fined and imprisoned, at the discretion of the jury; but the provisions of this section shall not apply to organizations for literary, scientific, commercial, mechanical, charitable, or eleemosynary purposes, or for any purpose not inconsistent with the Constitution or laws of the Commonwealth.

The question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Talbott then moved, as a substitute for said bill as amended, the following amendment, viz:

Whereas, Official information has been received from the Governor that combined lawlessness exists in the State to such an extent that the means now at his command are inadequate for the successful performance of his public duties; therefore, to meet the exigencies of the case,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of fifty thousand dollars be, and the same is hereby, set apart, out of any money in the Treasury not otherwise appropriated, and placed at the disposal of the Governor of this Commonwealth, and he is hereby authorized to draw his warrant on the Treasurer for such part thereof as he may deem necessary to enable him to enforce the laws, suppress crime, maintain the peace and dignity of the Commonwealth, and secure to each and every

inhabitant of the State the free, full, and peaceful enjoyment of life, liberty, and property.

§ 2. This act shall take effect from and after its passage.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Harrison Cockrill,	A. G. Talbott,
A. K. Bradley,	Joseph Gardner,	W. L. Vories—8.
R. A. Burton,	J. B. Hayden,	

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	Edwin Hawes,	E. D. Standeford,
Robert Boyd,	G. A. C. Holt,	Oscar Turner,
John G. Carlisle,	William Johnson,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb,
Lyttleton Cooke,	Lewis Perrin,	Emery Whitaker,
J. H. Dorman,	K. F. Prichard,	I. C. Winfrey,
W. McKee Fox,	I. A. Spalding,	Thos. Wrightson—24.

Mr. Wrightson then moved to amend said bill by adding, as an additional section, the following, viz:

All distinctions of punishment provided by the statutes of this Commonwealth for criminals of African descent are hereby repealed, and all crimes shall be punished by the penalties now provided by law for other criminals; and that all testimony be received by the court, and be submitted to the jury for what it is worth.

The Speaker announced that it was not in order to entertain said amendment.

So said amendment was not considered.

Mr. Vories then moved to amend the bill under consideration by striking out the last clause of the second section, beginning with the words "Provided, however."

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vories and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	J. B. Hayden,	W. L. Vories—4.
Lyttleton Cooke,		

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	Joseph Gardner,	E. D. Standeford,
F. M. Allison,	Edwin Hawes,	A. G. Talbott,

Robert Boyd,	G. A. C. Holt,	Oscar Turner,
R. A. Burton,	William Johnson,	H. A. Tyler,
Jno. G. Carlisle,	John W. Johnson,	Ben. J. Webb,
W. H. Chelf,	D. Y. Lyttle,	Emery Whitaker,
John B. Clarke,	Lewis Perrin,	I. C. Winfrey,
J. H. Dorman,	K. F. Prichard,	Thos. Wrightson—26.
W. McKee Fox,	I. A. Spalding,	

Mr. Turner then moved to amend said bill by striking out the 11th section thereof.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vories and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Leslie),	J. H. Dorman,	Oscar Turner,
F. M. Allison,	W. McKee Fox,	H. A. Tyler,
Robert Boyd,	Joseph Gardner,	A. C. Vallandingham,
A. K. Bradley,	Edwin Hawes,	W. L. Vories,
John G. Carlisle,	J. B. Hayden,	Emery Whitaker,
John B. Clarke,	John W. Johnson,	I. C. Winfrey—19.
Lyttleton Cooke,		

Those who voted in the negative, were—

R. A. Burton,	D. Y. Lyttle,	A. G. Talbott,
W. H. Chelf,	Lewis Perrin,	Ben. J. Webb,
G. A. C. Holt,	I. A. Spalding	Thos. Wrightson—10.
Wm. Johnson,		

Mr. Vories then moved to postpone the further consideration of said bill to Thursday, February 9th.

Mr. Tyler moved to amend said motion by substituting in lieu thereof postponement to 10½ o'clock, A. M., to-morrow.

And the question being taken thereon, it was decided in the negative.

The question was then taken on Mr. Vories' motion to postpone the further consideration of said bill to Thursday next, and it was decided in the affirmative.

And then the Senate adjourned.

SATURDAY, FEBRUARY 4, 1871.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, viz :

By Mr. Carlisle, from the Committee on the Judiciary—

An act revising the charter of the city of Paducah.

By same—

An act to incorporate the town of Canmer, in the county of Hart.

By Mr. Turner, from same committee—

An act to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15th, 1848.

With an amendment thereto.

By Mr. Cooke, from the Committee on Railroads—

An act to incorporate the Elkton Railroad Company.

With an amendment thereto as a substitute therefor.

Which amendments to the last two named bills were adopted.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Chelf, from the Committee on Education—

A bill for the benefit of Dallasburg school district, in Owen county.

By Mr. Turner, from the Committee on the Judiciary—

A bill for the benefit of the sureties of H. M. Wade, late sheriff of Marshall county, on his revenue bond for the year 1869.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

A bill to change the time of holding the spring term of the Hopkins circuit court.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Spalding, from the Committee on Finance, reported a bill, entitled

A bill for the benefit of C. M. Hanks, of Wolfe county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

Whereas, On the 6th day of June, 1868, certain lands, the property of C. M. Hanks, were sold by the sheriff of Morgan county, under *fi. fa.* and *ven. ex.*, from the Franklin circuit court, in favor of the Commonwealth of Kentucky, against said C. M. Hanks, for the revenue due the State from said Hanks, late sheriff of Wolfe county, for the years 1861 and 1862; and whereas, the right of the redemption in and to said land having expired, and the Auditor of Public Accounts having caused said land to be sold by his agent, and the sale of the land aforesaid having fully satisfied the amount of the said purchases made by the State for said land, and being the full amount due from said Hanks to the State for the revenue due for the years 1861 and 1862, as aforesaid, including principal, interest, cost, and damages, and about five hundred dollars over and above the amount of principal, interest, and cost of the said *fi. fa.* and *ven. ex.;* now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That upon the payment into the Public Treasury of the full amount of said revenue due from Wolfe county, for the years 1861 and 1862, including interest and all cost, attorney's fees and commissions, the Auditor shall draw his warrant on the Treasury in favor of said C. M. Hanks for the amount that said land sold for, exceeding the amount of the said revenue due the State from said Hanks for the said years of 1861 and 1862, including interest and costs, which excess of the payment of said revenue, interest, and cost, shall be ascertained by actual calculation on final settlement.

§ 2. That upon the presentation of the order of the Auditor in favor of said Hanks, the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	I. A. Spalding
Robert Boyd,	W. McKee Fox,	A. G. Talbott,
A. K. Bradley,	Joseph Gardner,	H. A. Tyler,
R. A. Burton,	Edwin Hawes,	A. C. Vallandingham,
John G. Carlisle,	J. B. Hayden,	Ben. J. Webb,
W. H. Chelf,	G. A. C. Holt,	Emery Whitaker,
J. Q. Chenoweth,	William Johnson,	I. C. Winfrey,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—26.
Lyttleton Cooke,	K. F. Prichard,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of John P. Norvall, of Nicholas county,

Reported the same, with the expression of opinion that it ought not to pass.

On motion,

Ordered, That said bill be placed in the orders of the day.

Mr. Boyd moved that the vote by which the Senate adopted the amendment proposed by Mr. Turner on yesterday, to a bill, entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments,"

Be reconsidered.

On motion of Mr. Boyd,

Ordered, That the further consideration of said motion be postponed to Thursday next, February 9th.

A message was received from the House of Representatives, requesting that a committee be appointed, to act in conjunction with a similar committee already appointed on the part of said House, whose duty it shall be to wait upon the Governor, and ask the withdrawal of a bill, which had passed the two Houses of the General Assembly, entitled

An act for the benefit of Hermon V. Cothes, of Ballard county.

Whereupon, Messrs. Spalding and Clarke were appointed said committee.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the River Road Company, of Jefferson county;

An act to incorporate the Mississippi and Southern Atlantic Railroad Company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish a court of common pleas in Caldwell county;

An act to amend an act, entitled "An act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky," approved February 10th, 1845;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Spalding—

1. A bill for the benefit of the trustees of school district No. 50, in Union county.

On motion of same—

2. A bill to amend the charter of the town of Uniontown.

On motion of same—

3. A bill to amend the road law of Union county.

On motion of Mr. Cooke—

4. A bill to amend the laws of evidence in this Commonwealth.

On motion of Mr. Wm. Johnson—

5. A bill to repeal subsection 7 of section 670, of the Civil Code of Practice, and the amendment thereto, approved February 14, 1866.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Revised Statutes and Codes of Practice the 2d and 3d; the Committee on the Judiciary the 4th, and the Committee on Courts of Justice the 5th.

Mr. Cooke offered the following resolution, viz:

Resolved by the Senate, That the Committee on Charitable Institutions are requested to visit the Eastern Lunatic Asylum, and report

the number of applications for admission into said Asylum now pending, but who have been unable to be admitted for want of more room. The committee are also requested to make a thorough examination of the Asylum buildings, and report what alterations, additions, and extensions (if any) are necessary to accommodate the applicants for admission, and the probable cost thereof. Said committee are also requested to report to the Senate such other facts and matters of interest connected with said Asylum as they may deem proper.

Mr. Vallandingham moved to amend said resolution by inserting after the word "Eastern," the words "and Western," and by striking out the word "Asylum" wherever it occurs, and inserting in lieu thereof the word "Asylums."

Which amendment was accepted by the mover, and adopted.

The question being taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The Senate took up for consideration a bill, entitled

A bill to establish the county of McCreery.

The question was taken on ordering said bill to be engrossed and read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

So said bill was rejected.

The Senate, according to order, took up for consideration a bill, entitled

A bill to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department.

On motion,

Ordered, That the further consideration of said bill be postponed to Tuesday next, February 7th.

On motion, leave of indefinite absence was granted to Messrs. Conklin and Cockrill.

And then the Senate adjourned.

MONDAY, FEBRUARY 6, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills which originated in the House of Representatives, of the following titles, viz:

An act to protect the public highways in Clark and Montgomery counties.

An act to amend an act, entitled "An act to incorporate the Elizabeth, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869.

Title amended to read,

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869.

And that they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Geo. W. Stubblefield, of Fulton county.

An act permitting the citizens of Louisa to vote whether or not liquors shall be sold in said town.

An act to amend an act, entitled "An act to incorporate the town of Leitchfield."

An act for the benefit of Rufus G. Salyers, late deputy sheriff of Magoffin county.

An act to incorporate the town of Rich Pond, in Warren county.

An act for the benefit of James M. Bullock, of Laurel county.

With amendments to the last two named bills.

Which amendments were take up, and the amendment to the former concurred in, and the amendments to the latter referred to the Committee on Finance.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Samuel Biggerstaff, late sheriff of Madison county.

An act to continue in force for five years an act, entitled "An act for the benefit of Crittenden county," approved February 10th, 1865.

An act to amend the charter of the town of New Concord, in Calloway county.

An act to authorize the Crittenden county court to issue county bonds to aid in rebuilding the court-house in said county.

An act to reduce into one all the acts concerning the town of Barboursville, fixing the boundary of said town, and for other purposes.

Also announcing that they had passed bills of the following titles, viz:

1. An act for the benefit of James W. Hannah, of Elliott county.

2. An act for the benefit of William Langdon, committee for Thos. Langdon, an idiot, in Pulaski county.

3. An act to incorporate the Lexington Water-works Company.

4. An act for the incorporation of the Little Sandy Bridge Company.

5. An act to incorporate the Lancaster, Fall Lick, and Mt. Vernon Turnpike Road Company.

6. An act to incorporate the Mill Creek Turnpike Road Company, in Mason county.

7. An act for the benefit of William W. Dowden, late sheriff of Fayette county.

8. An act to enable the Louisville Pilots' Benevolent and Relief Association to wind up and discontinue its affairs.

9. An act to amend an act, entitled "An act to incorporate the town of New Haven, in Nelson county."

10. An act for the benefit of the county attorney of Caldwell county.

11. An act to amend the charter of the Peak's Mill Turnpike Company.

12. An act to incorporate the St. John's Cemetery, in the city of Columbus.

13. An act to establish the weight of Rockcastle coal.

14. An act to amend an act, entitled "An act to amend the charter of Bryantsville."

15. An act defining what shall be deemed a lawful fence in Gallatin county, and providing for the punishment of the owners of breachy or roguish cattle permitted to run on the commons therein.

16. An act to authorize the county court of Hardin county to levy a tax to erect public buildings in said county.

17. An act for the benefit of the Pleasureville, Bethlehem, and Kentucky River Turnpike Company.

18. An act to amend an act, entitled "An act to authorize the judge of the Kenton quarterly court to appoint a special agent to execute process."

19. An act to amend an act, entitled "An act for the benefit of James Davis, of Knox county."

20. An act to incorporate the Walnut Flat Church.

21. An act to increase the levy of Logan county.

22. An act amendatory of an act to amend an act, entitled "An act to incorporate the town of Hiseville, in Barren county."

23. An act to amend an act, entitled "An act to incorporate the town of Concordia."

24. An act providing for comparing the polls for the election of Representatives to the General Assembly in the counties of Breathitt, Wolfe, and Powell.

25. An act for the benefit of the Bullitt county court, authorizing them to levy a tax to erect public buildings.

26. An act providing for the appointment of a county treasurer for Lincoln county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, and 7th to the Committee on Finance; the 3d, 9th, and 18th to the Committee on the Judiciary; the 4th, 5th, 6th, 11th, and 17th to the Committee on Internal Improvement; the 8th to the Committee on Charitable Institutions; the 10th, 13th, 14th, 15th, 19th, 22d, and 23d to the Committee on Revised Statutes and Codes of Practice; the 12th and 20th to the Committee on Religion and Morals; the 16th, 21st, 25th, and 26th to the Committee on Courts of Justice, and the 24th to the Committee on Privileges and Elections.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company," approved February 23, 1856.

An act to amend the charter of the Ashland and Catlettsburg Turnpike Company.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 6, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

John B. Owsley, Lincoln county.
J. W. Alcorn, Lincoln county.
J. W. Nichols, Jefferson county.
John G. Jefferson, Trigg county.
Anthony C. McElroy, Washington county.
Jacob Swigert, jr., Franklin county.
H. G. V. Wintersmith, Hardin county.

Very respectfully,
J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

The following petitions were presented, viz:

By Mr. Prichard—

The petitions of citizens of Boyd and Greenup counties, asking the passage of an act authorizing the construction of the Cincinnati Southern Railway.

By Mr. Gardner—

The petitions of citizens of Wolfe, Lee, Owsley, and Morgan counties, asking the passage of an act authorizing the construction of the Cincinnati Southern Railway.

Which were received, read, and placed in the orders of the day.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chenoweth, from the Committee on Internal Improvement—

An act to authorize the board of councilmen of the city of Frankfort to subscribe to the capital stock of the Frankfort and Flat Creek Turnpike Road Company.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

An act concerning the retail of spirituous, vinous, or malt liquors in a part of Jefferson county.

By same—

An act empowering the trustees of Salem Presbyterian Church, in Clark county, to sell and convey certain lots or tracts of land on which their parsonage property and house of worship are situated, with authority to reinvest the proceeds of the sale.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act authorizing the issue of county bonds by the court of claims of Shelby county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, reported bills of the following titles, viz:

A bill to amend the charter of the Smithfield and Ballardsville Turnpike Road Company.

A bill to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred the amendments proposed by the House of Representatives, to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1870,

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration the following bills, viz:

A bill in relation to the Court of Appeals.

A bill to amend an act, entitled "An act to incorporate the town of Owingsville, in Bath county, approved March 5th, 1850."

A bill supplementary to an act to amend the charter of the city of Covington, approved March 3d, 1869.

A bill to amend an act, approved February 21st, 1868, fixing the fees of county attorneys.

On motion,

Ordered, That said bills be laid upon the table.

The Senate then took up for consideration a bill, entitled

A bill to amend subsection 1 of section 614, title 13, article 2, of the Civil Code of Practice,

With an amendment proposed thereto.

On motion,

Ordered, That said bill and pending amendment be recommitted to the Committee on Revised Statutes and Codes of Practice.

The Senate also took up for consideration a bill, entitled

A bill to compensate clerks of courts for certain services.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the motion heretofore entered to reconsider the vote by which the Senate had, on March 11th, 1870, disagreed to a bill, which originated in the House of Representatives, entitled

An act to regulate the weight and sale of stone-coal in this Commonwealth.

On motion of Mr. Carlisle,

Ordered, That said motion be laid upon the table.

The Senate also took up for consideration the report of the Committee on Finance, made on February 3d, 1870, in relation to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Robert White, of Hickman county.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Robert White, of Hickman county, be, and he is hereby, authorized to peddle goods, wares, and merchandise, in all the counties west of the Tennessee river, in this State, without State or county license therefor.

§ 2. That this act shall take effect from its passage.

The question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Allison, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	K. F. Prichard,	A. G. Talbott,
J. Q. Chenoweth,	I. A. Spalding,	H. A. Tyler—8.
D. Y. Lyttle,	E. D. Standeford,	

Those who voted in the negative, were—

Mr. Speaker (Leslie),	Lyttleton Cooke,	William Johnson,
F. M. Allison,	J. H. Dorman,	John W. Johnson,
Robert Boyd,	W. McKee Fox,	A. C. Vallandingham,
A. K. Bradley,	Joseph Gardner,	Ben. J. Webb,
Jno. G. Carlisle,	Edwin Hawes,	Emery Whitaker,
W. H. Chelf,	J. B. Hayden,	Thos. Wrightson—20.
John B. Clarke,	G. A. C. Holt,	

So said bill was disagreed to.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to regulate appeals from police courts and mayor's courts;

And enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869;

An act to protect the public highways in Clark and Montgomery counties;

An act authorizing the county court clerk to furnish cross-indexes for certain record books in Cumberland county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

On motion of Mr. Talbott, Mr. Vallandingham was assigned to the Committee on Charitable Institutions.

And then the Senate adjourned.

TUESDAY, FEBRUARY 7, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate, to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved February 16th, 1866.

Title amended to read,

An act to repeal an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved March 9th, 1867.

Also announcing that they had disagreed to bills, which originated in the Senate, entitled

An act to exempt haulers from Goose Creek Salt Works from the payment of tolls on the Wilderness turnpike road.

An act for the benefit of James W. Hogg, late sheriff of Letcher county.

An act for the benefit of the sheriff of Warren county.

And that they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of J. J. Durham, sheriff of Green county.

An act for the benefit of the Danville and Pleasant Hill Turnpike Company.

An act to amend the charter of the Salt River and Dry Branch Turnpike Road Company.

An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company.

An act for the relief of the sheriff of Warren county.

An act for the benefit of school districts Nos. 8 and 9, in McLean county.

With an amendment to the last named bill, which was referred to the Committee on Education.

A message was also received from the House of Representatives, announcing that they had received official information from the

Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Hopkins Coal Company," approved February 18th, 1867.

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities.

An act for the benefit of Olivia Stewart and her husband, Wm. Stewart.

An act concerning arrearages of pay due deceased soldiers.

An act for the benefit of the judge of the city court of Louisville.

An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof.

Also announcing that they had passed bills and adopted a resolution of the following titles, viz:

1. An act for the benefit of common schools in Kentucky.

2. An act to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road.

3. An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence.

4. An act for the benefit of common school district No. 2, in Montgomery county.

5. An act to amend an act, entitled "An act to charter the Stanford Female Seminary," approved February 26th, 1869.

6. An act for the benefit of school district No. 8, in Calloway county.

7. An act to repeal section second of an act to amend the charter of Princeton College.

8. An act to amend the charter of the Alexandria and Flag Spring Turnpike Road Company, in Campbell county.

9. An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company, and to authorize the same to issue bonds.

10. An act to incorporate the town of Providence, in Webster county.

11. An act to amend and reduce into one the several acts in relation to the town of Slaughterville, in Webster county.

12. An act to incorporate the town of Union, in the county of Boone.

13. An act to incorporate the town of Fritzville, in Bracken county.

14. An act to amend an act, entitled "An act to incorporate the St. Bernard Coal Company."

15. An act to amend an act, entitled "An act to authorize the Lewis county court to levy a tax to create a bridge fund for Lewis county."

16. An act for the benefit of the town of Tompkinsville, in Monroe county.

17. An act for the benefit of the Germantown and Bridgeville Turnpike Road Company, in Bracken county.

18. An act to amend the charter of the town of Dixon, in Webster county.

19. An act for the benefit of J. T. Pitman and W. Frank Crawford, of Powell county.

20. An act declaring lower Buffalo creek, in Owsley county, a navigable stream from its mouth to the mouth of the road fork of said creek.

21. An act to amend the charter of the Louisville and Salt River Turnpike Road Company.

22. An act to incorporate the Dixon and Clayville Turnpike and Gravel Road Company, in Webster county.

23. An act to amend section 21, chapter 84, entitled "Roads and Passways," Revised Statutes.

24. An act to incorporate the Jacksonville and Townsend Turnpike Road Company.

25. An act to establish an additional magistrates' district in Ballard county.

26. An act to authorize the Hancock county court to increase the county levy for the year 1871.

27. An act to prohibit the sale of spirituous, vinous, or malt liquors in the county of Floyd.

28. An act to change the time of holding the November term of the Owen county court.

29. An act for the benefit of the jailer of Cumberland county.

30. Resolution directing inquiry in regard to the penitentiary.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st, 4th, 5th, 6th, and 7th to the Committee on Education; the 2d, 8th, 9th, 17th, 20th, 21st, 22d, and 24th to the Committee on Internal Improvement; the 3d and 14th to the Committee on Agriculture and Manufactures; the 10th, 11th, 12th, 13th, 18th, 23d, and 29th to the Committee on Revised Statutes; the 15th, 25th, 26th, and 28th to the Committee on Courts of Justice; the 16th to the Committee on the Judiciary; the 19th to the Committee on Finance; the 27th to the Committee on Religion and Morals, and the 30th to the Committee on Penitentiary.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the River Road Company, of Jefferson county.

The following petitions were presented, viz:

By Mr. Fox—

1. The petition of sundry citizens, asking the passage of an act authorizing the construction of the Cincinnati Southern Railway.

By Mr. Chenoweth—

2. The petition of James Taylor, surviving trustee of the Harrodsburg Academy, asking the passage of an act transferring the property of said academy to the board of trustees of the town of Harrodsburg.

Which were received, the reading dispensed with, and the 1st placed in the orders of the day, and the 2d referred to the Committee on Internal Improvement.

Mr. Prichard presented the report of the commissioners appointed under an act to provide for the improvement of the Big Sandy river, which was read as follows, viz:

To the Honorable the General Assembly of the Commonwealth of Kentucky:

The undersigned, Commissioners appointed by your honorable body by an act approved February 10th, 1870, entitled "An act to provide for the improvement of the Big Sandy river," appropriating the sum of seventy-five thousand dollars to be expended in the removal of obstructions and in the improvement of said river, from its mouth at Catlettsburg to its forks at Louisa, and from its forks at Louisa, on the West Fork, to its forks above Pikeville, and on the

Tug Fork to the mouth of Wolf Creek, requiring the Commissioners to report to the next General Assembly the progress of the work, respectfully report:

That they commenced the duties required by said act on the first day of March, 1870, first taking the oath required. They met at the Upper Forks of the Sandy river, above Pikeville, in Pike county, and proceeded to make a minute examination of the entire line of the river that the appropriation was required to be expended on.

In order to facilitate the labor, and to have done that which was most necessary to secure the designs of the act, we employed Capt. George W. Dixon, Harvey Horton, Thomas J. Owens, and Solomon Williamson, all of whom had large experience and practical knowledge in the navigation of the river, each having spent many years in the piloting of rafts, coal-boats, flat-boats, and steamboats. We proceeded to make specifications and estimates on the entire line, which is about one hundred and sixty-five miles; and in order that all parts of the river should have a proportionate share of the improvements, our specifications and estimates were made of such leaning timber, drift, snags, rock, and shoals, that were most hazardous to the navigation; divided the same into twenty-three sections—having greater regard to the amount and cost of work than distance. We then advertised the letting, in the mode and manner directed in said act, in the Big Sandy Herald, a paper that had the largest circulation of any other in that section of the country—the contracts to be completed by the first day of December, 1870. The letting was in the town of Louisa, on the 6th of August last. Sealed proposals were received, and a very large number of bids made. The contracts were awarded to the lowest bidders, who executed the bonds required. The whole work let at that time amounted to thirty-seven thousand six hundredand eighty-four dollars ($37,684). In the months of August and September the water in the Sandy was lower than it had been known in the last twenty years. The contractors with energy prosecuted their work, and by the first of October they had performed their contracts. Your Commissioners gave their undivided attention to the same during the entire progress. Each section was examined by a majority in every instance, sometimes by the whole Board of Commissioners; and issued vouchers, with duplicates, which were delivered to the contractors as directed.

We then proceeded to make other specifications on the whole line, in like manner, requiring the removal and improving that which

would tend to secure the more perfect navigation of the river for all kinds of transportation. On the 27th day of October, 1870, in the town of Louisa, after advertising as directed in the Big Sandy Herald, we let to the lowest bidders the specifications on the Tug Fork and the main Sandy, which amounted to the sum of four thousand six hundred and one dollars ($4,601). The contractors gave the required bonds; all of which was in like manner superintended by your Commissioners; and the contractors, with an extraordinary degree of industry and perseverance, completed the same, and it was received by your Commissioners, and vouchers issued, as in the first lettings. The sections on the Louisa Fork were let in the town of Prestonsburg, on the 1st day of December last, after like notice in the Big Sandy Herald. In bidding there was an increased interest, and it was let at much lower figures than the first, which amounted to the sum of eleven thousand seven hundred and sixty-six dollars ($11,766), which is to be completed by the first of October, 1871. But very little of that has been completed, to-wit, $139, and cannot be before the low water next summer and fall.

During the progress of the work, we found, that, in order to obtain a full advantage of our requirements in some of the sections, some additional work should be done. By the concurrence of the Board, we expended the sum of three hundred and ninety dollars. We also expended in the purchase of mill-dams, to-wit: the Soward's mill and Steel & Gillam, the sum of seven hundred dollars—the first five hundred, and the other two hundred dollars. Said dams had been legalized by an act of the Legislature, for which we issued vouchers. All of the original vouchers aforesaid have been filed with the Auditor of State.

The account will stand as follows:

First letting of contracts	$37,684 00
Second letting of contracts	4,601 00
Third, which has been completed	139 00
Third, not completed	11,627 00
Pay of Commissioners' expenses, including attendents, for which vouchers have issued	4,932 30
Mill-dams	700 00
Expense and pay of Commissioners, &c., for which no vouchers have issued, about	1,000 00
Making	$61,073 30

We then, with a view to ascertain the best method of permanently improving the Big Sandy river, within the points the appropriation

was required to be expended, employed J. R. Straughan, a competent water-line engineer, at a price not to exceed twelve hundred dollars, to make a complete survey and map, with explanations, of the entire line, in a scientific manner. He, with his corps, proceeded with the work until the weather set in so cold as to close the navigation of the river. He was then compelled to quit. He has made his survey of the Tug Fork, Main Sandy, and the Louisa Fork, up to the mouth of Paint Creek. His report will be submitted. The sum of twelve hundred dollars will be due him, or a sum not to exceed that amount, on the completion of the whole line aforesaid; which, added to the sum above, will make $62,273 30; leaving unexpended the sum of $12,726 70; for which we have made specifications and estimates that will cover the same.

Vouchers have issued for the sum of	$49,646 30
Contracts incomplete and unexpended	25,353 70
Total	$75,000 00

There may be additional expenses incident to the water-line survey on settlement.

Your Commissioners deem it unnecessary to insert in this report each species of work they caused to be done, the cost, and the contractor. They have kept a complete record of all of their proceedings. Vouchers filed in the Auditor's office particularly specify the kind of work, the contractor, and contract price; also, the bonds of contractors.

But we assure your honorable body that an immense amount of good has been done to the navigation of the Big Sandy river; that the snags, rock, and timber, that so materially endangered the navigation, have been removed, together with a small island near the mouth of the river (nine miles up). The shoals have been cleaned of all large loose rock, and chutes made in them fifty feet wide, and the water, by wing dams, arranged so as to turn the entire water in low stage into them. In the falls of Tug, which was a terrible obstruction to navigation, there has been a chute cut of fifty feet width in a solid rock, with a slope so as to admit the passage of boats during the very lowest stages. During the extreme low water of last season there were eighteen inches of water in the chute.

The work that has been done and to be done was necessary, and well worth the money agreed to be given. We cannot say that the sum appropriated will fully complete all that should be done. To

have the full benefit of the navigation, locks and dams should be constructed. Some of the shoals should be dredged, or chutes sunk, so as to more effectually confine the water; some straightened, and the current made less swift; and some large rocks should be removed that make the navigation somewhat dangerous at certain stages. The sum of twenty thousand dollars would fully complete the begun work.

There are six steamboats now used on the Big Sandy river, running the greater portion of the year, and doing a good business. The exports have more than doubled in the last five years. The lands have greatly enhanced in value. The Sandy region will, ere long, equal in wealth any other portion of this Commonwealth; and return into the Treasury, by way of increased revenue, in a few years, a sum sufficient to repay the bounty so justly appropriated by your honorable body.

GEORGE N. BROWN,
JAMES A BARRET,
NELSON HAMILTON,
WILLIAM J. MAY,
JAY H. NORTHUP,
Commissioners.

January 30, 1871.

Ordered, That the Public Printer print two hundred copies of said report.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

A bill to amend an act, entitled "An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds."

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes," approved February 16th, 1858.

By Mr. Spalding, from the Committee on Finance—

A bill for the benefit of A. C. Thomas, late sheriff of Nelson county, and his sureties.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill for the benefit of the county of Fleming.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, viz :

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act to authorize the county court of Hardin county to levy a tax to erect public buildings in said county.

By same—

An act for the benefit of the Bullitt county court, authorizing them to levy a tax to erect public buildings.

By same—

An act to increase the levy of Logan county.

By same—

An act providing for the appointment of a county treasurer for Lincoln county.

By Mr. Dorman, from same committee—

An act providing a commissioner of county claims for Hart county.

By Mr. Tyler, from same committee—

An act to authorize the court of claims of Johnson county to levy and collect an *ad valorem* and poll tax for county purposes.

By Mr. Fox, from same committee—

An act for the benefit of the police judge of the town of Hawesville.

By Mr. Spalding, from the Committee on Finance—

An act for the benefit of William P. Carden, of Hart county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the town of Rich Pond, in Warren county;

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1870;

An act for the benefit of Geo. W. Stubblefield, of Fulton county;

An act permitting the citizens of Louisa to vote whether or not liquors shall be sold in said town;

An act to amend an act, entitled "An act to incorporate the town of Leitchfield;"

An act for the benefit of Rufus G. Salyers, late deputy sheriff of Magoffin county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

Mr. Wm. Johnson, from the Committee on Courts of Justice, reported bills of the following titles, viz:

A bill repealing subsection 7 of section 670, of the Civil Code of Practice.

A bill repealing the 3d section of an act, entitled "An act conferring certain civil rights upon negroes and mulattoes," approved February 14th, 1866.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be placed in the orders of the day.

Mr. Lyttle, from the Committee on Education to whom had been recommitted a bill, entitled

1. A bill to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there shall be erected a good and sufficient school-house in every common school district in the Eighth and Ninth Congressional Districts.

§ 2. It shall be the duty of the school commissioner of each of the counties, composing the Eighth and Ninth Congressional Districts, to visit each school district in his county before the 1st day of May, 1871; and he, together with the common school trustees for the district, shall select a situation for a school-house, having regard to the greatest convenience to the greatest number of children in the district.

§ 3. If there is not a good and sufficient school-house at the place selected, it shall be the duty of the common school trustees to warn in the hands liable to work on the public highways in such district, to meet at the place selected for the school-house, with such tools as they are directed to bring, for the purpose of repairing or building a new school-house; one day's notice being sufficient.

§ 4. The school-house may be built of logs, stone, plank, or brick, but must be of sufficient size to accommodate the children of the district; and have a chimney of stone or brick, and glass windows to afford sufficient light, and suitable seats and desks for the children of the district.

§ 5. It shall be the duty of the trustees of each common school district to levy a poll or capitation tax upon each head of a family in the district sufficient to purchase glass for the windows, or to pay for mechanical work which cannot be performed by the persons in the district liable to work on the school-house, or to pay for lime or lumber which cannot be furnished by the labor of the district; said tax not to exceed fifty cents per head.

§ 6. Said tax shall be collected by the sheriff of the county as the revenue of the State is now collected.

§ 7. If any person liable to work on the public highway or roads of the county fails to attend at the time and place, and with tools directed by the trustees, or fails or refuses to work when in attendance, he shall be proceeded against in the same way, and subjected to the same fine, that hands are now by law who fail to work on the public highway; and any school commissioner who fails to attend at the school district, as required by this act, for the purpose of selecting a place for a school-house, shall be liable to be proceeded against in the same way, and subjected to the same fine, that surveyors of the public highway are for failing to keep their precinct of road in good repair.

§ 8. If the trustees of any common school district in the Eighth or Ninth Congressional Districts fail to have a good and sufficient school-house in their district on the 1st day of May, 1872, they shall be liable to be indicted by a grand jury, and fined as overseers of the public highways are for failing to keep their precinct of road in good repair.

§ 9. All the fines collected under this act shall be applied to the benefit of the school-house in such district, if necessary; if not, to school purposes in such districts. This act shall be given in charge by the circuit judges of the Eighth and Ninth Congressional Districts to the grand juries of the counties in the same.

§ 10. The provisions of this act shall only apply to persons embraced in the general common school law.

§ 11. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	J. H. Dorman,	W. H. Payne,
Robert Boyd,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	J. B. Hayden,	E. D. Standeford,
John G. Carlisle,	John W. Johnson,	A. G. Talbott,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
Lyttleton Cooke,	A. L. McAfee,	Emery Whitaker—18.

Those who voted in the negative, were—

Edwin Hawes,	H. A. Tyler,	Thos. Wrightson—4.
Lewis Perrin,		

Resolved, That the title of said bill be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, reported a bill, entitled

A bill for the benefit of the tax-payers of Jessamine county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made the special order of the day for Friday next, February 10th.

Mr. Talbott, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Kentucky Mutual Benefit Association of Physicians,

Asked that said committee be discharged from the further consideration thereof.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. William Johnson and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Lyttleton Cooke,	William Johnson,
Jno. G. Carlisle,	J. H. Dorman,	H. A. Tyler
W. H. Chelf,	Edwin Hawes,	Ben. J. Webb—9.

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	G. A. C. Holt,	E. D. Standeford,
A. K. Bradley,	John W. Johnson,	A. G. Talbott,
R. A. Burton,	D. Y. Lyttle,	Oscar Turner,
J. Q. Chenoweth,	W. H. Payne,	A. C. Vallandingham,
W. McKee Fox,	Lewis Perrin,	W. L. Vories,
Joseph Gardner,	K. F. Prichard,	Emery Whitaker,
J. B. Hayden,	I. A. Spalding,	Thos. Wrightson—21.

Mr. Whitaker, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

A bill to prescribe the duties and regulate the fees of county attorneys,

Asked that said committee he discharged from the further consideration thereof.

Which was granted.

The Senate, according to order, took up for consideration a bill, entitled

A bill to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department.

On motion of Mr. Spalding,

Ordered, That the further consideration of said bill be postponed to Friday next, February 10th.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

Said bill reads as follows, viz:

WHEREAS, It is represented to this General Assembly that Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, of the city of Cincinnati, in the State of Ohio, were appointed, under and by virtue of an act of the General Assembly of the said State of Ohio, passed on the fourth day of May, in the year eighteen hundred and sixty-nine, a board of trustees, with authority to borrow a fund not to exceed ten millions of dollars, and to issue bonds therefor in the name of said city of Cincinnati, under the corporate seal thereof, of which said fund the said Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Furguson, and their successors, are to be trustees, with power to expend the same in procuring the right to construct, and in constructing, a single or double-track railway, with all the usual appendages, including a line of telegraph, between the said city of Cincinnati and the city of Chattanooga, in the State of Tennessee, to be called and known as the Cincinnati Southern Railway; and with power and capacity for the purposes aforesaid to

make contracts, appoint, employ, and pay officers and agents, and to acquire, hold, and possess all the necessary real and personal property and franchises, either in the said State of Ohio or in any other State in which the said line of railway may extend, and with other powers in said act expressed; and whereas, the said line of railway cannot be constructed, nor the powers of the said board of trustees be exercised within the Commonwealth of Kentucky, without the consent of the General Assembly thereof. The General Assembly reserves the right to change, alter, or modify this act, and to regulate, by general laws, the rates of charges for the transportation of freights and passengers on said railway; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said board of trustees, namely: Miles Greenwood, Richard M. Bishop, William Hooper, Philip Heidelbach, and Edward A. Ferguson, and their successors, by the name of the Trustees of the Cincinnati Southern Railway, be, and they are hereby, authorized to extend, construct, and maintain, within the Commonwealth of Kentucky, the said line of railway, with a single or double track, with all the usual appendages, including a line of telegraph, and to exercise the powers vested in them under and by virtue of said act of the General Assembly of the State of Ohio, subject to the provisions and restrictions in this act provided.

§ 2. For the purpose of examining and surveying routes for the said line of railway, the said trustees may, subject to liability for the actual damage done, enter upon any land in the counties of Josh Bell, Knox, Whitley, Laurel, Clay, Owsley, Jackson, Estill, Madison, Clark, Bourbon, Harrison, Pendleton, Campbell, Kenton, Boone, Gallatin, Grant, Owen, Scott, Franklin, Anderson, Woodford, Fayette, Jessamine, Mercer, Garrard, Boyle, Lincoln, Rockcastle, Casey, Pulaski, Russell, Wayne, Clinton, Cumberland, Monroe, Metcalfe, and Adair, and select from the routes so examined and surveyed a route for the same, commencing at a point to be selected by the said trustees where the said line of railway will cross the southern boundary of this Commonwealth, and running through either of said counties to the northern boundary line thereof, and across the Ohio river, so as to connect with the same line of railway in the State of Ohio. A copy of the survey and location of such route, and any alteration therein, shall be filed in the county clerk's office of the counties through which the said railway runs, within one year after such location or alteration.

§ 3. For the purpose of constructing and maintaining said line of railway and its appendages, the said trustees may acquire, by purchase or gift, so much land as may be necessary to construct, complete, and operate their railway and its appendages; and it shall be lawful for them to apply to any circuit or county court, of any county through which it may be proposed said railway may pass, and for said court to appoint a competent engineer, and two disinterested commissioners, to examine the proposed route of said railway, and to take from the proprietors of land over which it is to pass a grant of the right of way, of such width as may be desired, provided the same shall not exceed one hundred feet, and which

may include the right to take stone, timber, earth or gravel for the construction of their road; and they, jointly and severally, shall have the power and authority to take and certify, under their hands and seals, the acknowledgment of such grants in fee or right of way, and the separate acknowledgment of married women, that the clerks of the several county courts have; and on the presentation of the grant and acknowledgment to the clerk of the county court where the land lies, it shall be the duty of the clerk to record the same as other deeds; and they shall be effectual against all persons according to their tenor: *Provided*, That when the parties are infants or absent, or refuse to make the grant, they shall hear any proof that may be adduced, and upon their own view proceed to value any land required for the right of way, or lands required for turn-outs or depot stations, or other appendages of said road, and also of earth, stone, gravel, or timber for the construction of said road, and report the value they have fixed, together with the evidence adduced, to the court appointing them, with a map or profile of the required ground; and said report shall be filed with the clerk of such court, and a summons issued to the proprietors to show cause against the confirmation of the report; but if the proprietor shall be out of the Commonwealth, the summons may be executed upon a known agent, if there be one in the county; and if there be no known agent in the county, then the court may order the appearance of the party at a named day, and appoint the clerk to give the proprietor notice by letter; and in case of there being infant, idiot, or lunatic proprietors, the court shall appoint *guardians at litem* for them, and cause the guardian to appear and act for them; and in case an absent defendant does not appear, the court shall appoint an attorney of the court to act for them. It shall be lawful for the trustees or any proprietor, or both, to traverse the report, and for the court to have the traverse tried in open court by a competent jury, on which trial the report and evidence returned as aforesaid shall be heard, together with such other proof as either party may produce. A new trial to the finding of the jury may be granted as in other cases. The report shall stand for hearing, as to any proprietor, when the process has been executed ten days, or after appearance of a proprietor on a day fixed for his appearance; and the court shall have jurisdiction to confirm the report, if no traverse is filed; and in case a traverse is filed, to have the same tried by a jury, and to give judgment upon the report or finding of the jury, and order the payment of the money, and the execution of the grant in accordance with the report; and to have the grant executed by a commissioner appointed by the court, and order them to be recorded in the county court clerk's office of the county; and either party may appeal from the judgment of the court.

§ 4. That the commissioners or jury, in estimating the value of the lands proposed to be taken, shall not be confined to the actual value, but may take into consideration any consequential damage that may result to the adjoining proprietors of the land taken, and also the advantages and disadvantages the proposed road will be to such lands.

§ 5. That upon the affidavit of the engineer of said trustees, made and filed before the county judge of any county through which the proposed road may pass, that at any point more than one hundred feet is necessary properly to construct and operate said road, said trustees may acquire the right to so much land as may be necessary for that purpose, and in the manner provided in the preceding section.

§ 6. The said trustees may also, for the purpose of constructing and maintaining said line of railway, occupy or use any turnpike or plank road, street or other public way or ground, or any part thereof, upon such terms and conditions as may be agreed upon between said trustees and the municipal or other corporations, persons, or public authorities owning or having charge thereof; and in case it shall be necessary to provide a new road, street, or other ground, in place of that so used or occupied, they may acquire the necessary land and cause the necessary improvement to be made thereon. If no agreement can be made for the right to use or occupy any road, street, or ground that may be necessary, the said trustees may take and appropriate said rights in the manner provided in the next section: *Provided*, That, before the damages are assessed, the court may fix such terms and conditions as may be deemed best for the public interest.

§ 7. The appropriations authorized in the preceding section shall be made in the manner, and subject to the same right of traverse, writ of error, and appeal, provided by law for taking private property for the use of turnpike and plank road companies, except that the petition shall be filed in the circuit court of the county in which such turnpike, plank roads, streets, or other public ways or grounds, may lie; and if a continuous portion of the same, lying in more than one county, is sought to be used or occupied, the proceedings may be instituted in the circuit court of any county in which any part of such continuous portion may lie; and the damages shall be assessed for the whole of such portion, whether lying in the county wherein the proceedings are instituted or in other counties; the writ shall be directed to the sheriff of the county in which the petition is filed.

§ 8. If, during the construction or after the completion of said line of railway, it shall be found necessary by said trustees to change the location or grade, or to substitute other works or conveniences for those originally designed or constructed, or to provide additional side-tracks or other appendages for the proper management and operation of said railway, the said trustees may make such changes and provide such additional appendages, not departing from the general route originally selected by them; and, for the purpose aforesaid, may acquire or enter upon, take and appropriate, such lands or rights, as may be necessary, in the mode hereinbefore prescribed.

§ 9. Wherever, along the route selected by said trustees, there shall be a railroad already constructed, or rights of way or depot or other grounds acquired therefor, which railroad, rights of way or grounds, can be adopted as part of the said line, it shall be lawful for the persons, company, or corporations owning the same, to sell

to the said trustees the said railroad, rights of way or grounds, or any part thereof, upon such terms and conditions as may be agreed upon between the said trustees and such persons, or the president and directors of such company or corporation: *Provided*, That no such agreement shall be binding upon the stockholders of any such company or corporation unless a majority in interest of said stockholders, as shown by the books of such company or corperation, shall ratify the same in person or by proxy, at a meetiug to be held at the place of holding the election of directors, to be called after notice given of the object of the meeting, in the manner provided for notice of such elections.

§ 10. No permanent bridge or other work shall be so constructed as to materially interrupt or impair the navigation of such streams as are naturally navigable, or as have been declared to be so by law.

§ 11. And whereas, under and by virtue of the above mentioned act of the General Assembly of Ohio, the said board of trustees have power to borrow a fund for the construction of the said line of railway, not to exceed ten millions of dollars, and to issue bonds therefor in the name of the city of Cincinnati, under the corporate seal thereof, bearing interest at a rate not to exceed seven and three tenths per centum per annum, payable at such times and places and in such sums as shall be deemed best by said board; which bonds are to be signed by the president of said board, and attested by the city auditor of said city, who is to keep a register of the same, and are to be secured by a mortgage on the said line of railway and its net income, and by the pledge of the faith of said city and a tax which it is made the duty by said act of the council of said city annually to levy, sufficient, with said net income, to pay the interest, and provide a sinking fund for the final redemption of said bonds: *Be it further enacted*, That the respective holders of all such bonds are hereby declared to be entitled to hold, by way of mortgage, without any conveyance, the said line of railway and its appendages, and the net income thereof, and all the estate, right, title, and interest of the said city of Cincinnati, and of the said board of trustees therein, until the respective sums mentioned in said bonds, and the interest thereon, shall be fully paid, without any preference one above another, by reason of priority of date of any such bonds, or of the time when such holder became the owner of the same, or otherwise howsoever. The mortgage lien hereby given is to vest, as soon as rights of way or lands, whereon are to be placed the works and conveniences used in constructing, maintaining, or operating said railway, are acquired or taken, by virtue of the powers of the said trustees: *Provided*, That nothing herein contained shall affect the lien of any vendor upon lands sold to said trustees, nor be held to include the rolling stock used in operating said road: *And provided further*, That any mortgage that may be made by any lessee or lessees of said line of railway, or persons or company operating it, on the rolling stock used in operating said road, shall not have precedence over, but shall be at all times inferior in priority to, judgments that may be obtained against them, in any county

through which said road may run, for wages, materials, and supplies in running said road; for damages for breaches of contracts of affreightment, for injury, loss, or destruction of any property put on the cars on said road for transportation, or for any injury to persons or property occasioned in the running of said road.

§ 12. Said trustees shall survey and locate the route of said line of railway, and actually commence the construction thereof, within two years from the passage of this act; and shall continue such construction and complete the work within five years from its commencement, or within such further reasonable period, not exceeding ten years in all, as the Governor may grant upon satisfactory evidence that they are progressing with due diligence and in good faith. The gauge of said railway shall be five feet.

§ 13. The charge for transportation on said railway shall not exceed thirty-five cents per hundred pounds on heavy articles, and ten cents per cubic foot on articles of measurement for every hundred miles, and four cents a mile for every passenger.

§ 14. The taxes imposed on said line of railway and its appendages shall not exceed the rate imposed on other railroads within this State.

§ 15. The said trustees may sue and be sued, contract and take and hold property, and convey and transfer the same, by the name of the "Trustees of the Cincinnati Southern Railway." Conveyances by said trustees shall be signed by not less than three of them. They shall keep an office and an agent in the city of Covington, and an agent in every county through which said railway runs, upon whom service of process may be made. Actions against them or against the lessee or lessees of said line of railway, or persons or company operating it, other than those mentioned in sections ninety-three and ninety-four of the Code of Practice in Civil Cases, may be brought in any county in which any part of the said railway lies. When an action is rightly brought in any county, process may be issued to the county in which the office of the trustees is situate, and may be sent and returned by mail. And it is hereby made a condition upon which said trustees construct and maintain said railway within this Commonwealth, that they thereby waive the right to remove any case from any of the courts of this State to any of the courts of the United States, or to bring a suit in any of the courts of the United States against any citizen of this State; and a violation of this condition shall operate as a forfeiture of the rights, privileges, and immunities granted in this act.

§ 16. The person or company operating said railway, or any part thereof, as lessee or otherwise, shall receive and carry all passengers and freight coming or brought to it or them to be carried, and they shall make no discrimination against citizens of Kentucky in carrying freight or passengers on said line of railway, or any part thereof; nor shall they make any unjust discrimination in favor of through freights or passengers against way freights or passengers, or against freights or passengers from other railroads connecting with said railway in this State; but they shall charge and receive only the same, and no more, for the same services in transporting freight or

passengers going to or coming from one connecting road, that they charge or receive upon those going to or coming from any other. They shall keep an office and agent at some point along the line within this Commonwealth, and an agent in every county therein through which said railway runs, upon whom service of process may be made; and it is hereby made a condition upon which such persons or company may lease said railway, or any part thereof, or make any arrangement for operating the same, that such persons or company thereby waive the right to remove any case from any of the courts of this State to any of the courts of the United States, or to bring a suit in any of the courts of the United States against any citizen of this State; and a violation of such condition shall operate as a forfeiture of all rights acquired under such lease or arrangement; which forfeiture, and the other provisions of this section, this Commonwealth reserves the right to enforce by all necessary remedies and additional legislation.

§ 17. That the rights, privileges, and immunities granted by this act, shall continue for and during the period of ninety-nine years, and not longer, and shall, during that time, be subject to be declared forfeited by any court of competent jurisdiction, by an action instituted by the direction of the General Assembly in the name of the Commonwealth, for any failure on the part of the said trustees, their successors or assigns, to comply with the terms, stipulations, and obligations imposed herein for the benefit and security of this Commonwealth or the people thereof; and before entering on any lands in this State, said trustees shall accept the provisions of this act.

§ 18. The following words and expressions in this act shall have the several meanings hereby assigned to them, unless there be something in the context repugnant to such construction: that is to say, the word "lands" shall include not only lands and every estate therein, but also easements and franchises connected therewith. The word "trustees" shall mean the trustees for the time being appointed under the said act of the General Assembly of the State of Ohio, and shall include the said board of trustees and their successors. The expression "line of railway and its appendages" shall extend to and include the works and conveniences of the said railway, such as offices, stations, shops, sheds, depots, car-houses, and other buildings, bridges, viaducts, tunnels, arches, piers, abutments, embankments, approaches, ways, aqueducts, culverts, sewers, drains, wharves, yards, fences, telegraph posts and wires, tracks, turn-outs and turn-tables, and the rights of way and lands belonging to said trustees, whereon the said and other like works and conveniences used in constructing, maintaining, or operating said railway are placed. The expression "act of the General Assembly of the State of Ohio," shall mean the act of the General Assembly of the State of Ohio, entitled "An act relating to cities of the first class, having a population exceeding one hundred and fifty thousand inhabitants," passed on the 4th day of May, in the year 1869. The expression "line of railway," shall mean the line of railway be-

tween the city of Cincinnati, in the State of Ohio, and city of Chattanooga, in the State of Tennessee.

§ 19. *Be it further enacted*, That this act shall take effect from and after its passage.

Mr. Chenoweth moved that the further consideration of said bill be postponed to Tuesday next, February 14th.

The question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Webb, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	A. L. McAfee,
John G. Carlisle,	J. H. Dorman,	Lewis Perrin,
W. H. Chelf,	W. McKee Fox,	I. A. Spalding
J. Q. Chenoweth,	G. A. C. Holt,	A. G. Talbott—13.
John B. Clarke,		

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	J. B. Hayden,	H. A. Tyler,
F. M. Allison,	William Johnson,	A. C. Vallandingham,
A. K. Bradley,	John W. Johnson,	W. L. Vories,
R. A. Burton,	D. Y. Lyttle,	Ben. J. Webb,
Lyttleton Cooke,	K. F. Prichard,	Emery Whitaker,
Joseph Gardner,	E. D. Standeford,	Thos. Wrightson—20.
Edwin Hawes,	Oscar Turner,	

Ordered, That said bill be read a third time.

On motion, the question was taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

Mr. Carlisle then moved to reconsider the vote by which the third reading of said bill was dispensed with.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Carlisle and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	G. W. Connor,	A. L. McAfee,
Robert Boyd,	J. H. Dorman,	Lewis Perrin,
John G. Carlisle,	W. McKee Fox,	I. A. Spalding
W. H. Chelf,	Joseph Gardner,	A. G. Talbott,
J. Q. Chenoweth,	J. B. Hayden,	I. C. Winfrey,
John B. Clarke,	G. A. C. Holt,	Thos. Wrightson—18.

Those who voted in the negative, were—

F. M. Allison,	John W. Johnson,	Oscar Turner,
A. K. Bradley,	D. Y. Lyttle,	H. A. Tyler,
R. A. Burton,	W. H. Payne,	W. L. Vories,

Lyttleton Cooke, K. F. Prichard, Ben. J. Webb,
Edwin Hawes, E. D. Standeford, Emery Whitaker—16.
William Johnson,

On motion, the question was again taken on dispensing with the third reading of said bill, and it was decided in the negative.

On motion of Mr. Wm. Johnson,

Ordered, That said bill have its third reading on to-morrow at 10½ o'clock, A. M.

The Senate then took up for consideration a bill from the House of Representatives, entitled

An act to increase the salaries of the judges of circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court,

With the pending amendments proposed by the committee.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the judges of the circuit courts, criminal courts, and courts of common pleas, and the chancellor of the Louisville chancery court, shall each receive an annual salary of three thousand dollars, to be paid as salaries are now paid: *Provided*, That the increase in salaries to the judges of this Commonwealth is to take effect upon the condition that the allowance for judges *pro tem.*, in any circuit now authorized by law to be paid out of the Treasury of the State, be taken out of and deducted from the salary herein allowed.

§ 2. This act shall take effect and be in force from and after its passage.

Said amendments read as follows, viz:

First. Amend by striking out all of the first section after the word "provided," and insert in lieu thereof the following: That the allowance to judges and chancellors *pro tem.* shall be paid out of the increased salary allowed by this act, and deducted from said increased salary of the judge or chancellor of the district in which the allowance to the *pro tem.* judge or chancellor is made; and in the event that the allowance to said *pro tem.* judge or chancellor should exceed the amount of the increased salary aforesaid, then said excess shall be paid as now provided by law.

Second. Further amend said section by striking out the words "as salaries are now paid," and insert in lieu thereof the words, "out of the State Treasury, except that the salary of the judge of the court of common pleas for Warren county shall not be increased by this act beyond the amount now fixed by law."

The question being taken severally on the adoption of each of said amendments, it was decided in the affirmative.

Ordered. That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Leslie),	W. McKee Fox,	I. A. Spalding,
R. A. Burton,	Joseph Gardner,	E. D. Standeford,
John G. Carlisle,	William Johnson,	A. G. Talbott,
W. H. Chelf,	John W. Johnson,	H. A. Tyler,
J. Q. Chenoweth,	A. L. McAfee,	A. C. Vallandingham,
John B. Clarke,	W. H. Payne,	W. L. Vories,
G. W. Connor,	Lewis Perrin,	Ben. J. Webb,
Lyttleton Cooke,	K. F. Prichard,	Emery Whitaker—25.
J. H. Dorman,		

Those who voted in the negative, were—

Robert Boyd,	G. A. C. Holt,	Oscar Turner,
Edwin Hawes,	D. Y. Lyttle,	Thos. Wrightson—7.
J. B. Hayden,		

Resolved, That the title of said bill be amended to read:

An act regulating the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court, and to provide for the payment of *pro tem.* judges and chancellors of said courts.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chenoweth—

1. A bill transferring the property of, and debts owing to the trustees of, the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same.

On motion of Mr. Talbott—

2. A bill to amend the charter of the town of Hustonville.

On motion of Mr. Fox—

3. A bill to change the time of holding the circuit courts in Pulaski county.

On motion of Mr. Chelf—

4. A bill to require the clerk of the Green county court to index and cross-index all the deeds in his office.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Charitable Institutions the 2d; and the Committee on Courts of Justice the 3d and 4th.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 8, 1871.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to authorize the county court of Franklin county to take a vote to levy a tax for turnpike purposes.

And that they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the county court of Union county.

An act to authorize the trustees of the town of Leitchfield to discontinue and sell and convey a part of Main cross street in said town.

An act prohibiting the vending of ardent, malt, or vinous spirits in Magoffin county.

An act to change the time of holding quarterly courts in Harrison county.

An act for the benefit of C. M. Hanks, of Wolfe county.

An act to change the time of holding the spring term of the Hopkins circuit court.

That they had concurred in the amendments proposed by the Senate to bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Elkton Railroad Company.

An act to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15th, 1848.

That they had passed bills of the following titles, viz:

1. An act for the benefit of William O. Mize.

2. An act to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23d, 1861.

3. An act to amend an act, entitled "An act to incorporate the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company."

4. An act authorizing the county court of Livingston county to levy an additional tax.

5. An act for the benefit of McCracken county, and to enable her to pay her indebtedness.

6. An act to change the time of holding the quarterly courts in Floyd county.

7. An act to amend the charter of the town of Cloverport.

8. An act for the benefit of the present and future sheriffs of Bath county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 8th to the Committee on Finance; the 2d and 3d to the Committee on Internal Improvement; the 4th, 5th, and 6th to the Committee on Courts of Justice, and the 7th to the Committee on Revised Statutes and Codes of Practice.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act authorizing the county court clerk to furnish cross-indexes for certain record books in Cumberland county.

An act to establish a court of common pleas in Caldwell county.

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad Company," approved January 29th, 1869.

An act to protect the public highways in Clark and Montgomery counties.

An act to amend an act, entitled "An act to incorporate St. Paul's Protestant Episcopal Church, in Newport, Kentucky," approved February 10th, 1845.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the town of Leitchfield."

An act for the benefit of George W. Stubblefield, of Fulton county.

An act to incorporate the town of Rich Pond, in Warren county.

An act permitting the citizens of Louisa to vote whether or not liquors shall be sold in said town.

An act for the benefit of Rufus G. Salyers, late deputy sheriff of Magoffin county.

An act to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1870.

A message in writing was also received from the Governor by Mr. Samuels, Assistant Secretary of State.

On motion,

Ordered, That the further consideration of said message be postponed until to-morrow.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the town of New Haven, in Nelson county,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Lexington Water-works Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Holt, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker (Leslie),	W. McKee Fox,	K. F. Prichard,
F. M. Allison,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	Edwin Hawes,	E. D. Standeford,
R. A. Burton,	J. B. Hayden,	H. A. Tyler,
Jno. G. Carlisle,	William Johnson,	W. L. Vories,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
John B. Clarke,	D. Y. Lyttle,	Emery Whitaker,
G. W. Connor,	A. L. McAfee,	I. C. Winfrey,
Lyttleton Cooke,	W. H. Payne,	Thos. Wrightson—29.
J. H. Dorman,	Lewis Perrin,	

Those who voted in the negative, were—

A. C. Vallandingham, G. A. C. Holt—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on Courts of Justice, reported a bill, entitled

A bill for the benefit of the personal representatives of Robert Foster, deceased.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

Whereas, It is represented to the General Assembly of the Commonwealth of Kentucky that Robert Foster, deceased, late of the county of Westchester, in the State of Pennsylvania, was the owner and holder of a bond for one thousand dollars, and numbered 583, upon the State of Kentucky, and that said bond, with the coupon for interest thereto attached, have been lost, and that, by reason of the loss of said bond and coupon, the personal representatives of the said Robert Foster have not been able to collect the interest or principal of said bond; wherefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall and may be lawful for the personal representatives of the said Robert Foster, deceased, to file in the Franklin circuit court a petition in equity against the Board of Commissioners of the Sinking Fund, for the purpose of establishing the existence of such a bond, the ownership and loss thereof; and said court shall have jurisdiction to hear and determine said case, as if it were a suit between private persons; that proof upon the issue of fact made by the pleadings in said suit may be introduced by either party, as is authorized by the laws of this State, and the practice of said court in ordinary equitable proceedings in said court.

§ 2. That it shall be the duty of the Attorney General of this State to represent and defend the interests of the State of Kentucky in said suit.

§ 3. That if upon the trial of said action the said court shall, upon the pleadings and proofs, come to the conclusion that such a bond was ever in existence, and that it was the property of the said Robert Foster, deceased, and that the same has been lost as his property or the property of his estate, to enter a judgment for the amount of said bond, in the event the same shall be found to be past due, and for the interest thereon due and unpaid, according to the tenor and effect thereof.

§ 4. That it shall be the duty of the Auditor of Public Accounts to draw his warrant upon the Treasurer for the amount of the judgment of said court in favor of the plaintiff or plaintiffs, or his or their attorneys, to be paid out of any moneys in the Treasury to the credit of the Sinking Fund: *Provided*, That the plaintiff or plaintiffs shall, before any judgment shall be rendered, enter into bond, with two or more good securities, to be approved by the court, to the effect that they will pay to the Commonwealth of Kentucky any and all damages which may accrue to the said Commonwealth of Kentucky, by reason of the payment of the amount of said judgment to the plaintiff or plaintiffs, or to his or their attorney, and to indemnify and keep harmless the said Commonwealth of Kentucky from any loss or damages, in the event said bond or any of the coupons thereto attached, shall hereafter be presented; a copy of which bond shall be certified to, and preserved by, the Auditor for payment; and provided further, that the plaintiffs shall pay the costs of said suit.

§ 5. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	W. McKee Fox,	K. F. Prichard,
F. M. Allison,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	Edwin Hawes,	E. D. Standeford,
R. A. Burton,	J. B. Hayden,	A. G. Talbott,
Jno. G. Carlisle,	G. A. C. Holt,	Oscar Turner,
W. H. Chelf,	Wm. Johnson,	H. A. Tyler,
J. Q. Chenoweth,	John W. Johnson,	W. L. Vories,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb,
G. W. Connor,	A. L. McAfee,	Emery Whitaker,
Lyttleton Cooke,	W. H. Payne,	I. C. Wintrey,
J. H. Dorman,	Lewis Perrin,	Thos. Wrightson—33.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Danville and Pleasant Hill Turnpike Company;

An act to amend the charter of the Salt River and Dry Branch Turnpike Road Company;

An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company;

An act for the relief of the sheriff of Warren county;

An act for the benefit of J. J. Durham, sheriff of Green county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

On motion of Mr. Vories, leave was given to bring in a bill, entitled

A bill to amend the charter of the town of Carrollton.

Ordered, That the Committee on the Judiciary prepare and bring in said bill.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth.

Which bill was read a third time.

Mr. McAfee moved that the vote by which said bill was ordered to be read a third time be reconsidered, for the purpose of offering the following amendment, which was read for information, viz:

Add to 14th section the words: "*Provided*, That the trustees of the Cincinnati Southern Railway shall pay into the Treasury of this Commonwealth, semi-annually, an amount equal to fifty cents *per capita* for every through passenger, and twenty-five cents for each way passenger, per hundred miles travel on said railway."

The question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. William Johnson and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	A. L. McAfee,
John G. Carlisle,	J. H. Dorman,	Lewis Perrin,
J. Q. Chenoweth,	W. McKee Fox,	A. G. Talbott,
John B. Clarke,	G. A. C. Holt,	Thos. Wrightson—12.

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	J. B. Hayden,	Oscar Turner,
F. M. Allison,	William Johnson,	H. A. Tyler,
A. K. Bradley,	John W. Johnson,	A. C. Vallandingham,
R. A. Burton,	D. Y. Lyttle,	W. L. Vories,
W. H. Chelf,	W. H. Payne,	Ben. J. Webb,
Lyttleton Cooke,	K. F. Prichard,	Emery Whitaker,
Joseph Gardner,	I. A. Spalding	I. C. Winfrey—23.
Edwin Hawes,	E. D. Standeford,	

Mr. Wrightson then moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. William Johnson and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	Lewis Perrin,
Jno. G. Carlisle,	J. H. Dorman,	A. G. Talbott,
J. Q. Chenoweth,	W. McKee Fox,	Thos. Wrightson—11.
John B. Clarke,	A. L. McAfee,	

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	J. B. Hayden,	E. D. Standeford,
F. M. Allison,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	William Johnson,	H. A. Tyler
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
Lyttleton Cooke,	W. H. Payne,	Ben. J. Webb,
Joseph Gardner,	K. F. Prichard,	Emery Whitaker,
Edwin Hawes,	I. A. Spalding,	I. C. Winfrey—24.

Mr. Chenoweth then moved to postpone the further consideration of said bill until to-morrow at 10½ o'clock, A. M.

The question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and W. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	I. A. Spalding,
John G. Carlisle,	W. McKee Fox,	A. G. Talbott,
J. Q. Chenoweth,	A. L. McAfee,	I. C. Winfrey,
John B. Clarke,	Lewis Perrin,	Thos. Wrightson—13.
G. W. Connor,		

Those who voted in the negative, were—

Mr Speaker (Leslie),	J. B. Hayden,	E. D. Standeford,
F. M. Allison,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	Wm. Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
Lyttleton Cooke,	W. H.Payne,	Ben. J. Webb,
Joseph Gardner,	K. F. Prichard,	Emery Whitaker—22.
Edwin Hawes,		

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Bradley, were as follows, viz :

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	Lewis Perrin,
John G. Carlisle,	J. H. Dorman,	A. G. Talbott,
J. Q. Chenoweth,	W. McKee Fox,	I. C. Winfrey,
John B. Clarke,	A. L. McAfee,	Thos. Wrightson—12.

Those who voted in the negative, were—

Mr. Speaker (Leslie),	J. B. Hayden,	E. D. Standeford,
F. M. Allison,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	William Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
Lyttleton Cooke,	W. H. Payne,	Ben. J. Webb,
Joseph Gardner,	K. F. Prichard,	Emery Whitaker—23.
Edwin Hawes,	I. A. Spalding,	

So said bill was disagreed to.

Mr. Cooke then moved that the vote by which the Senate had disagreed to the passage of said bill be reconsidered.

The question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Chenoweth, were as follows, viz :

Those who voted in the affirmative, were—

J. Q. Chenoweth,	Lewis Perrin,	I. C. Winfrey,
G. W. Connor,	A. G. Talbott,	Thos. Wrightson—7.
J. H. Dorman,		

Those who voted in the negative, were—

Mr. Speaker (Leslie),	G. A. C. Holt,	E. D. Standeford,
F. M. Allison,	William Johnson,	Oscar Turner,
A. K. Bradley,	John W. Johnson,	H. A. Tyler,
R. A. Burton,	D. Y. Lyttle,	A. C. Vallandingham,
Lyttleton Cooke,	W. H. Payne,	W. L. Vories,

Joseph Gardner, K. F. Prichard, Ben. J. Webb,
Edwin Hawes, I. A. Spalding Emery Whitaker—22.
J. B. Hayden,

And then the Senate adjourned.

THURSDAY, FEBRUARY 9, 1871.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to charter the town of Adairsville, in Logan county.

And that they had passed bills of the following titles, viz:

1. An act to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division.

2. An act to authorize the trustees of common school district No. 1, in Logan county, to levy and collect a tax for the purpose of erecting common school buildings in said district.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Railroads, and the 2d to the Committee on Education.

Mr. Dorman presented the petition of citizens of Glasgow Junction, asking the incorporation thereof.

Which was received, the reading dispensed with, and referred to the Committee on Courts of Justice.

On motion of Mr. Turner, a message was sent to the House of Representatives, asking to withdraw the announcement of the Senate's passage of a bill, which originated in the House of Representatives, entitled

An act revising the charter of the city of Paducah.

Which, after a short time, was handed in at the Clerk's desk.

Mr. Turner then moved that the vote by which the Senate had passed said bill be reconsidered.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Turner,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

A message was received from the House of Representatives, requesting that a committee be appointed, to act in conjunction with a similar committee on the part of said House, whose duty it shall be to wait upon the Governor and ask the withdrawal of a bill, originating in the Senate, which has passed the two Houses of the General Assembly, entitled

An act to incorporate the Caverna Deposit Bank.

Whereupon Messrs. Boyd, Chelf, and Clarke were appointed said committee.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Cooke, from the Committee on the Judiciary—

A bill to change the western boundary of the city of Louisville.

By Mr. Tyler, from the Committee on Propositions and Grievances—

A bill to amend the charter of the city of Hickman.

By same—

A bill to repeal an act declaring Bayou DeChien a navigable stream.

By Mr. Chenoweth, from the Committee on Internal Improvement—

A bill transferring the property of, and debts owing to the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cooke, from the Committee on the Judiciary—

An act in relation to depositions heretofore taken, and oaths heretofore administered, by persons known as examiners.

By Mr. Payne, from same committee—

An act for the benefit of John W. Robinson, of Hickman county.

By Mr. Cooke, from the Committee on Railroads—

An act to incorporate the Kentucky and Tennessee Railroad Company.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

An act amendatory of an act to amend an act, entitled "An act to incorporate the town of Hiseville, in Barren county."

By same—

An act to amend an act, entitled "An act to amend the charter of Bryantsville."

By same—

An act to incorporate the town of Sebree City, in Webster county.

By same—

An act to incorporate the town of Centre, in Metcalfe county.

By same—

An act to amend an act, entitled "An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town," approved February 25th, 1869.

By same—

An act to amend an act, entitled "An act to incorporate the town of Concordia."

By same—

An act for the benefit of the county attorney of Caldwell county.

By Mr. Spalding, from same committee—

An act to amend chapter seven of the Revised Statutes, title "Boats and Navigation."

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5th, 1870.

By Mr. Chelf, from same committee—

An act to amend section 326 of the Civil Code of Practice.

By Mr. Talbott, from the Committee on Charitable Institutions—

An act to enable the Louisville Pilots' Benevolent and Relief Association to wind up and discontinue its affairs.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

An act to amend sections 4 and 23, article 2, chapter 56, Revised Statutes, title "Landlord and Tenant," and sections 721 and 722, Civil Code of Practice.

With an amendment to the last named bill, which was adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the last, and that the title thereof be amended to read,

An act to amend sections 714, 721, and 722, Civil Code of Practice.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Mississippi and Southern Atlantic Railroad Company.

An act to amend the charter of the Salt River and Dry Branch Turnpike Road Company.

An act for the benefit of J. J. Durham, sheriff of Green county.

An act for the relief of the sheriff of Warren county.

An act for the benefit of the Danville and Pleasant Hill Turnpike Company.

An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company.

Mr. Payne, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act in relation to official sales in Boyle county,

Reported the same without amendment.

Mr. Talbott moved to amend said bill by inserting in lieu of the word "county" the words, "and Lincoln counties."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act in relation to official sales in Boyle and Lincoln counties.

Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to amend section 47, Criminal Code of Practice,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Winfrey and Holt, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	I. A. Spalding,
A. K. Bradley,	J. B. Hayden,	E. D. Standeford,
R. A. Burton,	G. A. C. Holt,	A. G. Talbott,
W. H. Chelf,	William Johnson,	H. A. Tyler,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
G. W. Connor,	D. Y. Lyttle,	Emery Whitaker—20.
Lyttleton Cooke,	W. H. Payne,	

Those who voted in the negative, were—

Mr. SPEAKER (Leslie),	A. L. McAfee,	A. C. Vallandingham,
Joseph Gardner,	Lewis Perrin,	I. C. Winfrey—8.
Edwin Hawes,	Oscar Turner,	

Resolved, That the title of said bill be as aforesaid.

Mr. Spalding, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to amend chapter 84, title "Roads and Passways," Revised Statutes,

Reported the same with two amendments.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever it shall appear to a county court that owners or proprietors of iron works or iron mines require a passway over the land of others, in order to reach mines of ore, or wood for coaling purposes, or other material necessary to operate their furnaces, the court shall establish such passway for the length of time required; and the

damages assessed under writ of *ad quod damnum* shall be apportioned to the length of time for which said passway is established; at the expiration of which, said passway shall revert to the original owners of the land or their vendors.

§ 2. That owners of wood and timber lands adjacent to railroads or navigable streams may, on application to county courts having jurisdiction, and on proof that they are unable to haul to said railroads and navigable streams without passing over the land or lands of others, have a passway condemned to their use; the party applying first paying all damages assessed in accordance with the provisions of this chapter, under the writ of *ad quod damnum*.

§ 3. This act to take effect from its passage.

The amendments proposed by the committee are as follows, viz:

First. Strike out in the 1st section, after the words "the court," the words "shall," and insert in lieu thereof the word "may."

Second. In the 1st section, after the word "established," insert the words, "and shall be paid by the applicant."

The question being taken on the adoption of each of said amendments, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Whitaker and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were--

F. M. Allison,	J. H. Dorman,	E. D. Standeford,
Robert Boyd,	J. B. Hayden,	H. A. Tyler,
A. K. Bradley,	John W. Johnson,	Ben. J. Webb,
W. H. Chelf,	I A. Spalding,	I. C. Winfrey—13.
J. Q. Chenoweth,		

Those who voted in the negative, were—

Mr. Speaker (Leslie),	William Johnson,	Oscar Turner,
Lyttleton Cooke,	D. Y. Lyttle,	W. L. Vories,
Edwin Hawes,	W. H. Payne,	Emery Whitaker—11.
G. A. C. Holt,	Lewis Perrin,	

Resolved, That the title of said bill be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of the police judge of the town of Woodburn;

An act to amend article 3, chapter 47, Revised Statutes;

An act to amend section 5, article 2, chapter 20, Revised Statutes, so far as Paducah is concerned;

Reported said bills, with the expression of opinion that they ought not to pass.

The question being severally taken on ordering each of said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

On motion of Mr. Vallandingham, the privileges of the floor of the Senate were extended to Hon. B. H. Bigham and Hon. Arthur Hood, delegates accredited by the Governor of Georgia to ask the General Assembly of Kentucky to promote railroad connection between said States.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments,"

Also the pending motion of Mr. Boyd to reconsider the vote by which the Senate had adopted the amendment to said bill proposed by Mr. Turner.

On motion of Mr. Chelf,

Ordered, That the further consideration of said bill and motion be postponed until to-morrow.

Mr. McAfee read and laid on the table a joint resolution.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the county court of Union county;

An act to authorize the trustees of the town of Leitchfield to discontinue and sell and convey a part of Main cross street in said town;

An act prohibiting the vending of ardent, malt, or vinous spirits in Magoffin county;

An act to change the time of holding quarterly courts in Harrison county;

An act for the benefit of C. M. Hanks, of Wolfe county;

An act to change the time of holding the spring term of the Hopkins circuit court;

And enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth," approved March 9th, 1867;

An act to amend an act, entitled "An act to amend an act to incorporate the town of West Point, in Hardin county," approved February 15th, 1848;

An act to incorporate the town of Canmer, in the county of Hart;

An act empowering the trustees of Salem Presbyterian Church, in Clark county, to sell and convey certain lots or tracts of land on which their parsonage property and house of worship are situated, with authority to reinvest the proceeds of the sale;

An act to authorize the board of councilmen of the city of Frankfort to subscribe to the capital stock of the Frankfort and Flat Creek Turnpike Road Company;

An act concerning the retail of spirituous, vinous, or malt liquors in a part of Jefferson county;

An act authorizing the issue of county bonds by the court of claims of Shelby county.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature;

After a short time, Mr. Holt reported that the committee had performed that duty.

And then the Senate adjourned.

FRIDAY, FEBRUARY 10, 1871.

A message was received from the House of Representatives, announcing their disagreement to an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws of this State.

Also announcing that they had adopted a resolution, entitled

Resolution fixing the day for final adjournment.

And that they had passed a bill, entitled

An act to incorporate the Valley and West Point Bridge Company.

Which bill was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Internal Improvement.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the county court of Union county.

An act to change the time of holding quarterly courts in Harrison county.

An act to change the time of holding the spring term of the Hopkins circuit court.

An act to authorize the trustees of the town of Leitchfield to discontinue and sell and convey a part of Main cross street in said town.

An act prohibiting the vending of ardent, malt, or vinous spirits in Magoffin county.

An act for the benefit of C. M. Hanks, of Wolfe county.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 10, 1871.

Gentlemen of the Senate and House of Representatives:

I hereby resign the office of Governor of this Commonwealth, to take effect on Monday, 13th February, 1871, at 11 o'clock, A. M.

Very respectfully,
J. W. STEVENSON.

Mr. Vories offered the following resolution, viz:

Resolved, That the faithful and impartial discharge of his duties as Executive of this Commonwealth by John W. Stevenson meets with the approval of his fellow-citizens; and upon his retirement from the office of Governor, we, as the representatives of the people, hereby express to him the assurance that, in our opinion, he has administered the government of the State with great prudence, wisdom, and vigilance, and for such administration we hereby tender to him the thanks and approbation of our common constituency.

Which was adopted.

A message in writing was also received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message, with the accompanying documents, were taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 10, 1871.

Gentlemen of the Senate and House of Representatives:

I herewith transmit a communication from his Excellency, Rufus B. Bullock, Governor of Georgia, informing me that he has accredited as Commissioners from the State of Georgia to this Commonwealth, Hon. B. H. Bigham, Hon. Arthur Hood, and the Hon. J. R. Parrott, who are charged with the mission of presenting to the General Assembly of this Commonwealth, on behalf of the Executive and people of Georgia, the interest felt by the latter State for the rapid construction of railroad communications looking to the closer connection of Georgia with Kentucky, and the consequent increase of the commercial and manufacturing interests of both States.

Two of these Commissioners—Judge Bigham and Colonel Hood—reached Frankfort on yesterday.

I am quite sure it is unnecessary for me to ask for them that cordial reception which, as representatives from the State of Georgia, they are entitled to receive from the General Assembly of Kentucky in unfolding the object of their mission, or for the bestowal of the civilities and hospitality which it always delights Kentucky to bestow on the distinguished visitors of our sister States.

J. W. STEVENSON.

EXECUTIVE DEPARTMENT, STATE OF GEORGIA,
ATLANTA, February 6, 1871.

To His Excellency, J. W. STEVENSON, *Governor of Kentucky:*

GOVERNOR: I have the honor to present to your Excellency, and do hereby accredit, the Hon. B. H. Bigham, of the county of Troup; Hon. Arthur Hood, of the county of Randolph; and Hon. J. R. Parrott, of the county of Bartow, as Commissioners, for and in behalf of the State of Georgia, to present to your Excellency, and to the General Assembly of the Commonwealth of Kentucky, the desire which the people and the Executive Department of this State now feel for the rapid construction of railroad communications connecting this State directly with the interior of your State, to the end that we may the more readily exchange our productions, and those of the States south of us, for the rich and valuable commodities, stock, provisions, etc., with which the State of Kentucky is so abundantly supplied, and at the same time to insure more speedy and direct communication with the commercial and manufacturing centers of the States further north.

I have the honor to ask for these Commissioners such opportunities to communicate with your Excellency, and with your General Assembly, as may be agreeable and convenient.

I am, Governor, very respectfully,

RUFUS B. BULLOCK,
Governor of Georgia.

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 10, 1871.

Gentlemen of the Senate and House of Representatives:

Since my message this morning, transmitting the credentials of the Georgia Commissioners to the General Assembly of Kentucky, and announcing their arrival in Frankfort, I have received a communication in writing from these gentlemen, which I lose no time in laying before you. I cordially invite your consideration to the suggestions contained in this paper for such action as your wise deliberation may suggest as proper and appropriate upon a subject so vitally important to the social and material interests of the people of Georgia and Kentucky alike.

J. W. STEVENSON.

FRANKFORT, KENTUCKY, February 10, 1871.

To His Excellency, JOHN W. STEVENSON, *Governor of Kentucky:*

It is apparent to every reflecting observer that the agricultural wealth of the American nation lies in the country comprising the States of the lakes, and in Kentucky and Missouri and the other States and Territories contiguous to the Mississippi and her tributaries. This great fact was foreseen very early in our history, and so important was it considered to secure sure and reliable transit for its commerce to the markets of the world, that, near the close of the last century, Mr. Bingham, then Senator from Pennsylvania, and Mr. Madison, from Virginia, negotiated, on the part of the United States, with the Spanish Minister, to secure the free navigation of the Mississippi. To effectually insure that great benefit, the government ultimately purchased of the French, who meanwhile became its owners, the Territories of New Orleans and Louisiana. From that time to the present States and individuals have engaged in efforts to secure the commerce of this rich land. The Erie Canal was conceived by DeWitt Clinton for the purpose of carrying it to New York, and the cities of the North and East have successively inaugurated the "New York Central Railroad," the "Erie," the "Pennsylvania Central Railroad," and the "Baltimore and Ohio Railroad," and they are now engaged on the Chesapeake and Ohio, and other outlets of lesser magnitude.

The South is the natural ally of this great country, and over her territory lies the natural way of the great Northwest to the Gulf of Mexico and to the ocean. But the South has been comparatively inactive. Georgia, it is true, inaugurated a system of railroads in 1834, based upon Charleston and Savannah as its Atlantic *termini*, and meeting Tennessee and Kentucky at Chattanooga. The joint action of the people of these States have perfected that system into a magnificent line, having for its northern *termini* Memphis, St. Louis, and Louisville.

But all the channels of commerce above referred to have been for several years demonstrated by the logic of events to be totally inadequate to meet the ever-recurring and ever-increasing demand made by this land of Egyptian plenty for trade with the world. Other northern and eastern routes have been planned, and a project is even seriously entertained of appropriating the St. Lawrence, with the assistance of canals, to this work.

Shall we of the South longer remain supine? Shall we not rather recognize the great fact that the South and the Northwest are entering upon a new era destined to be marked by more intimate business relations and greater prosperity than has ever yet existed between them? The relative location of these two great sections to each other admonishes us that the natural outlet of the whole country lying west of the Alleghanies and east of the Rocky Mountains to the gulf and to the sea is by ways running across latitudes. The great existing eastern routes are contrary to nature; and more than that, they are contrary to our interest. Indeed, it may be demonstrated that it is for the best interest of the people of this whole continent that good north and south ways for commerce and travel be opened up and established. Lesseps has cut through Suez for Europe; Manchester now has her short route to Hindostan; and already it is quite plain that the idea has been conceived of concentrating eastern commerce and keeping it the handmaid of the wants and mutual interchanges of the people inhabiting the Eastern Hemisphere. Why, then, shall we not, through the instrumentality of a great North and South Central American route, the more resolutely make our trade with the West Indies and South America a specialty, and thus likewise render our commerce hemispherical?

Local prejudices in States, communities, and individuals may postpone the accomplishment of so great an enterprise (such have already somewhat interfered in Georgia); but this one is registered in the book of fate for the South and the Northwest, and no power on earth can adjourn it over to utter failure.

Georgia has again taken the path of action. She has granted charters for roads that, when completed, will constitute what we may term "Georgia's New System of Railroads." We propose by this again to meet Tennessee and Kentucky at our northern line—at Chattanooga and such other place or places as may be required of us by the provisions of such charters as the General Assemblies of our sister States may enact. Still keeping Savannah and Charleston in view as *termini*, we have added Brunswick on the Atlantic, and have also selected a most eligible gulf port in Florida. This new system we are rapidly pushing to completion. Chattanooga is our favorite northern *terminus;* because we are feeling directly for connection with Central Kentucky and the manufacturing and commercial centres beyond. To our success the co-operation of Kentucky is absolutely necessary. Therefore, we have come under commission

of our Governor to express the desire of Georgia, in a plain but respectful manner—not as intermeddlers on the one hand, nor as supplicants on the other—but in a fraternal spirit, to tell you our people cherish for you kindest sentiments of respectful regard; and that we want you, without delay, to build a railway through your limits, giving us the opportunity of cultivating more intimate associations with Central Kentucky and the Northwest. Of the details of measures before you we would not presume to speak. But it would not be amiss for us to remind you that statistics do not show Kentucky to be leading in the number of miles of railway existing and undergoing construction within her limits to such an extent as her eligibility of location and vast resources would warrant her people and friends to expect; nor does it fully appear that facilities furnished by internal improvements are as equally distributed to the people of your State as might result from the application of salutary legislation.

These remarks we offer with the greatest delicacy, and only because they lie directly along the line of thought we pursue. We ask of you to give us a road through Central Kentucky with which to connect. Give it to us without delay. If your people are indisposed to invest the necessary capital themselves to build it, it seems to us the manifest dictate of common sense to take such capital as may legitimately offer from within the limits of any of the sister States, or from anywhere, and after fairly subordinating it to the laws of Kentucky, utilize it for her benefit, and the benefit of her Southern sisters. Further than this we will not go. We do not appear here as the advocates of any particular enterprise. We come in the interest of Kentucky and of Georgia; for these two States are identical, not only in affection and fraternity of manhood and of civilization, but also in interest. We confide in your intelligence, and believe you are fully equal to the adoption of measures compatible with the honor of your Commonwealth, and contributing to her permanent prosperity. Georgia would not have you act otherwise. All Georgia asks is, that you act promptly; because by delay you injure yourselves and you injure us. If you differ with us in opinion, we have no words of reproach for you, but will continue to exercise our kind feelings of respectful regard. If, on the other hand, you contribute to the success of this great enterprise for your good and for ours, which we have so nearly at heart, we will cordially rejoice.

In conclusion, Governor, we return to you, and through you to the General Assembly of Kentucky, our cordial thanks for the distinguished hospitality which we have received from you and from the General Assembly, and from citizens of the State. In the event your public authorities should see fit to communicate to Georgia your views upon this subject, we will most cheerfully convey them; because we assure you that what Georgia desires is to learn the policy of Kentucky, and to keep all her movements in cordial conformity to that policy.

With high regard we remain yours, very truly,

ARTHUR HOOD,
BENJ. H. BIGHAM,
Commissioners.

JOHN W. WILSON, *Secretary of Commission.*

Ordered, That said message and accompanying documents be referred to a select committee, consisting of Messrs. Cooke, Carlisle, and Spalding.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Elkton Railroad Company;

An act providing a commissioner of county claims for Hart county;

An act for the benefit of William P. Carden, of Hart county;

An act to authorize the court of claims of Johnson county to levy and collect an *ad valorem* and poll tax for county purposes;

An act for the benefit of the police judge of the town of Hawesville;

An act to incorporate the Lexington Water-works Company;

An act to amend an act, entitled "An act to incorporate the town of New Haven, in Nelson county;"

An act to authorize the county court of Hardin county to levy a tax to erect public buildings in said county;

An act to increase the levy of Logan county;

An act for the benefit of the Bullitt county court, authorizing them to levy a tax to erect public buildings;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the charter of the Louisville and Salt River Turnpike Road Company.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the St. Bernard Coal Company."

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act authorizing the county court of Livingston county to levy an additional tax.

By Mr. Tyler, from same committee—

An act for the benefit of McCracken county, and to enable her to pay her indebtedness.

By Mr. Boyd, from same committee—

An act to authorize the Hancock county court to increase the county levy for the year 1871.

By Mr. Whitaker, from same committee—

An act to amend an act, entitled "An act to authorize the Lewis county court to levy a tax to create a bridge fund for Lewis county."

By Mr. Dorman, from same committee—

An act to change the time of holding the November term of the Owen county court.

By same—

An act to change the time of holding the quarterly courts in Floyd county.

By Mr. Carlisle, from the Committee on the Judiciary—

An act revising the charter of the city of Paducah.

With amendments to the last named bill, which were twice read and concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to change the time of holding the Warren court of common pleas.

By Mr. Dorman, from same committee—

A bill to incorporate the town of Glasgow Junction and Mammoth Cave.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence,

Asked that said committee be discharged from the further consideration thereof, and that it be referred to the Committee on the Judiciary.

Which was granted, and said bill so referred.

Mr. Whitaker, from the Committee on Banks and Insurance, reported

A bill for the benefit of the incorporated banks of Kentucky.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the several incorporated banks of this State shall have

the same power and right to purchase bills of exchange or negotiable notes, payable at their own banks, or other banks in the same town or city, as they now have to purchase bills or notes payable elsewhere.

§ 2. That the banks named in the first section shall have the same right to receive, in pledge or security, articles of value, or bills of exchange, or promissory notes, as they now have to receive, in pledge or security, bonds of the United States and stocks, and full right and authority to sell and dispose of such pledges or securities to pay the debts for which the pledge is made or security taken, on the terms agreed upon by the parties.

§ 3. That before the sale or disposal of any of the pledges or securities mentioned in section two, the party depositing the same shall have ten days' notice, in writing, if a resident of this State; or if not a resident, the bank, before proceeding to sell or dispose of the pledge or security, shall cause notice to be inserted in some newspaper of general circulation for at least twenty days; but nothing in this act shall be construed to confer power or authority on the said banks to sell or dispose of real estate, or any interest therein, so given in pledge or as security, otherwise than by regular judicial proceedings.

§ 4. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Winfrey and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were--

Robert Boyd,	Joseph Gardner,	I. A. Spalding,
R. A. Burton,	Wm. Johnson,	E. D. Standeford,
John G. Carlisle,	John W. Johnson,	H. A. Tyler,
W. H. Chelf,	D. Y. Lyttle,	A. C. Vallandingham,
J. Q. Chenoweth,	A. L. McAfee,	W. L. Vories,
John B. Clarke,	W. H. Payne,	Ben. J. Webb,
Lyttleton Cooke,	Lewis Perrin,	Emery Whitaker—22.
J. H. Dorman,		

Those who voted in the negative, were—

Mr. Speaker (Leslie),	Edwin Hawes,	I. C. Winfrey—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Vallandingham, from the Committee on Claims, reported a bill, entitled

A bill for the benefit of John C. Broadhead.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, John C. Broadhead was appointed by the Governor of Kentucky, under an act of the General Assembly of the Commonwealth of Kentucky, approved ———— the —, 186 , to make a preliminary survey of the Cumberland river from Williamsburg to the mouth of Laurel river, and report the practicability and probable cost of making said river navigable; and said J. C. Broadhead, in pursuance thereof, did make said survey, and reported same, which report was received by the General Assembly of the Commonwealth of Kentucky, for which service he has never been paid; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John C. Broadhead be allowed the sum of two hundred and fifty dollars for his services, and that the Auditor of Public Accounts is directed to draw his warrant on the Treasurer for said sum of two hundred and fifty dollars, payable to John C. Broadhead.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	Joseph Gardner,	I. A. Spalding,
Robert Boyd,	William Johnson,	E. D. Standeford,
R. A. Burton,	John W. Johnson,	A. G. Talbott,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
John B. Clarke,	W. H. Payne,	Emery Whitaker,
Lyttleton Cooke,	Lewis Perrin,	I. C. Winfrey—22.
J. H. Dorman,		

Those who voted in the negative, were—

John G. Carlisle,	J. B. Hayden,	Oscar Turner,
Edwin Hawes,	G. A. C. Holt,	H. A. Tyler—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Spalding, from the Committee on Banks and Insurance, reported

A bill for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commercial Bank of Kentucky and Farmers' Bank of

Kentucky shall have the power, by their president and directors, with the consent of a majority in interest of their stockholders, to subscribe for stock in any of the associations formed, or to be formed, under the laws of the United States, for banking purposes, and known as National Banks: *Provided*, Such subscriptions, in the aggregate, by either bank, shall not exceed one half its capital stock.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	J. B. Hayden,	E. D. Standeford,
Jno. G. Carlisle,	William Johnson,	A. G. Talbott,
W. H. Chelf,	John W. Johnson,	Oscar Turner,
J. Q. Chenoweth,	D. Y. Lyttle,	H. A. Tyler
John B. Clarke,	A. L. McAfee,	W. L. Vories,
G. W. Connor,	W. H. Payne,	Ben. J. Webb,
Lyttleton Cooke,	I. A. Spalding,	I. C. Winfrey—22.
Joseph Gardner,		

Those who voted in the negative, were—

Mr. Speaker (Leslie),	Edwin Hawes,	Lewis Perrin,
A. K. Bradley,	G. A. C. Holt,	Emery Whitaker—7.
J. H. Dorman,		

Resolved, That the title of said bill be as aforesaid.

Mr. Whitaker, from the Committee on Courts of Justice, reported a bill, entitled

A bill repealing section 2, article 1, of chapter 50, of Revised Statutes.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Turner moved an amendment to said bill.

Sundry amendments to said amendment were then successively moved and adopted.

On motion,

Ordered, That said bill, with the proposed amendment, as amended, be recommitted to the Committee on Courts of Justice.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the benefit of the tax-payers of Jessamine county.

Mr. Gardener moved an amendment thereto.

Orderd, That said bill and proposed amendment be placed in the orders of the day.

The Senate, according to order, took up for consideration a bill entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

Also the pending motion of Mr. Boyd to reconsider the vote by which Mr. Turner's amendment to said bill (striking out 11th section) was adopted.

The question being taken on said motion, it was decided in the negative.

Mr. Talbott then moved an amendment as a substitute for said bill.

On motion of Mr. Vallandingham,

Ordered, That the further consideration of said bill and proposed amendment be postponed until Tuesday next, February 14th, and that said amendment be printed.

Leave was given to bring in the following bills, viz:

On motion of Mr. Whitaker—

1. A bill to charter the Peed and Johnson Turnpike Road Company.

On motion of same—

2. A bill to amend an act to exempt homesteads from execution.

On motion of Mr. Dorman—

3. A bill to incorporate the Monterey and New Columbus Turnpike Road Company.

On motion of same—

4. A bill to incorporate Abbott's Landing and Big Twin Creek Turnpike Road Company.

On motion of Mr. Vallandingham—

5. A bill for the benefit of the Savings and Deposit Bank of Elkton, in Todd county.

On motion of Mr. Lyttle—

6. A bill for the benefit of the securities of James Hord, late sheriff of Clay county.

On motion of same—

7. A bill for the benefit of common school trustees in the State of Kentucky.

On motion of same—

8. A bill for the benefit of sheriffs and collectors of the revenue and county levy.

State of Kentucky, Executive Department,
Frankfort, February 11, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

John O. Hill, Jefferson county.
Charles Miller, Jefferson county.
Henry V. Sanders, Jefferson county.
Robert Cross, Jefferson county.
Sam. Cassidy, jr., Jefferson county.
C. C. Carmichael, Jefferson county.
B. C. Levi, Jefferson county.
C. S. Mueller, Jefferson county.
George C. Slaughter, Jefferson county.
Harry Stucky, Jefferson county.
John G. Walker, Jefferson county.
John S. Cain, Jefferson county.
Chauncey Miller, Jefferson county.
John B. James, Jefferson county.
B. O. Billingsly, Fayette county.
Wm. Cassius Goodloe, Fayette county.
J. W. Finnie, Union county.
Clarence N. McElroy, Warren county.
E. W. Knight, Pendleton county.
Calvin P. Wilcox, Kenton county.
Silas T. Green, Madison county.
Dan. B. Cassidy, Lyon county.

Very respectfully,
J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

The following petitions were presented, viz:

By Mr. Allison—

1. The petition of J. B. Woolfolk, of Meade county, praying for the passage of an act to create weighers of stock in the city of Louisville.

By Mr. Bradley—

2. The petition of physicians of Hopkins county, asking that physician's bills be made preferred claims, and be secured by lien.

By Mr. Spalding—

3. The petition of J. S. Braddock and others, for an act for the benefit of school district No. 43, in Union county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Education.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, viz :

By Mr. Clarke, from the Committee on Education—

An act for the benefit of common schools in Kentucky.

By Mr. Burton, from the Committee on Finance—

An act to amend an act, entitled "An act to reduce the price of vacant lands in this Commonwealth," approved March 9th, 1854.

By same—

An act for the benefit of William Langdon, committee for Thos. Langdon, an idiot, in Pulaski county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro Turnpike Road Company."

By same—

An act to amend an act, entitled "An act to incorporate the Covington and Horse Branch Turnpike Road Company."

By same—

An act regulating the rate of freights and tolls on the Paris and North Middletown Turnpike Road.

By same—

An act to amend the charter of the Covington and DeCourcey Creek Turnpike Company.

By same—

An act to repeal an act, entitled "An act to amend the charter of the Bath and Montgomery County Associated Turnpike Road Company."

By same—

An act for the benefit of Enoch Creech, of Clay county.

By same—

An act to incorporate the Mill Creek Turnpike Road Company, in Mason county.

By same—

An act to incorporate the Lancaster, Fall Lick, and Mt. Vernon Turnpike Road Company.

By same—

An act to amend the charter of the Peak's Mill Turnpike Company.

By same—

An act for the benefit of the Pleasureville, Bethlehem, and Kentucky River Turnpike Company.

By same—

An act to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road.

By same—

An act to incorporate the Valley and West Point Bridge Company.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to amend the charter of the town of Gratz, in Owen county.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—.

An act to incorporate the town of Union, in the county of Boone.

By same—

An act for the benefit of the jailer of Cumberland county.

By Mr. Spalding, from same committee—

An act to incorporate the town of Providence, in Webster county.

By same—

An act to amend and reduce into one the several acts in relation to the town of Slaughterville, in Webster county.

By same—

An act to amend the charter of the town of Dixon, in Webster county.

By Mr. Cooke, from the Committee on Railroads—

An act to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

An act to prevent the sale of spirituous liquors, &c., in the town of Burksville, in Cumberland county.

By same—

An act prohibiting the sale of spirituous liquors, &c., in Cumberland county.

By same—

An act to prohibit the sale or other disposition of spirituous, vinous, or malt liquors near Fox Creek Church, in Anderson county.

By Mr. Hawes, from same committee—

An act to prohibit the sale of spirituous, vinous, or malt liquors in the county of Floyd.

By Mr. Payne, from the Committee on the Judiciary—

An act to amend the charter of the town of Ceralvo, in Ohio county.

With an amendment to the last named bill, as a substitute therefor, which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the last, and that the title thereof be amended to read,

An act defining the jurisdiction of the marshal of the town of Ceralvo, in the county of Ohio.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

1. A bill regulating appeals from the police court of Bardstown.

By Mr. Tyler, from same committee—

2. A bill to change the time of holding the circuit courts in the 1st judicial district.

By Mr. Standeford, from the Committee on Internal Improvement—

3. A bill to incorporate the Monterey and New Columbus Turnpike Road Company.

By same—

4. A bill to incorporate Abbott's Landing and Big Twin Creek Turnpike Road Company.

By same—

5. A bill to incorporate the Eminence and Sulphur Fork Turnpike Road Company.

By Mr. Carlisle, from the Committee on the Judiciary—

6. A bill to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Hustonville.'"

By same—

7. A bill to exempt a certain part of the wages of laborers from garnishment or attachment, or other legal or equitable process for the collection of debts.

By Mr. Cooke, from same committee—

8. A bill to provide for the advertisement of sheriffs' and marshals' sales in the city of Louisville and Jefferson county, and to repeal all laws in conflict therewith.

By Mr. Winfrey, from the Committee on Propositions and Grievances.

9. A bill to establish the county of Adams.

By Mr. Gardner, from same committee—

10. A bill for the benefit of the clerk of the Breathitt county court.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

11. A bill to repeal an act, entitled "An act to amend section 614, of the Civil Code of Practice, in regard to depositions," approved January 14, 1858.

By Mr. Spalding, from the Committee on Banks and Insurance—

12. A bill to amend an act, entitled "An act to provide for the ncorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies," approved March 12th, 1870.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

13. A bill to amend an act, entitled "An act to incorporate the Crescent City Sleeping Car Company," approved March 16th, 1870.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

14. A bill to amend an act, entitled "An act to prohibit the sale of ardent spirits in Breathitt county," approved February 7th, 1868.

By Mr. Hawes, from same committee—

15. A bill to prohibit the sale of ardent spirits in Boyd county.

By Mr. Cooke, from the Committee on Railroads—

16. A bill to amend chapter 1576, approved February 24, 1869, entitled "An act to incorporate the Cumberland and Ohio Railroad Company."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was placed in the orders of the day; the 7th was ordered to be printed and placed in the orders of the day; the 9th was made the special order of the day for Wednesday next, the 15th inst.; and the 1st, 3d, 4th, 5th, 6th, 8th, 10th, 11th, 12th, 13th,

14th, 15th, and 16th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Clarke, from the Committee on Education, to whom was referred the amendment proposed by the House of Representatives, to a bill which originated in the Senate, entitled

An act for the benefit of school districts Nos. 8 and 9, in McLean county,

Reported that said amendment should be concurred in.

And the question being taken on concurring, it was decided in the affirmative.

Mr. Tyler, from the Committee on Courts of Justice, reported a bill, entitled

A bill to repeal the court of common pleas in the counties of Fulton, Hickman, and Graves, in the First Judicial District.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Turner moved to amend said bill by inserting after the word "Hickman" the words "Marshall, Ballard."

Which amendment was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read:

An act to repeal the court of common pleas in the counties of Fulton, Hickman, Marshall, Ballard, and Graves, in the First Judicial District.

Mr. Chelf, from the Committee on Revised Statutes, to whom was recommitted, with a proposed amendment, a bill, entitled

A bill to amend subsection 1 of section 614, title 13, article 2, of the Civil Code of Practice,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the St. John's Cemetery, in the city of Columbus.

Proposed to report the same.

Whereupon the Speaker announced, that, under the rule of the Senate and resolution of the General Assembly, it was not in order to entertain said bill.

So said bill was not considered.

Mr. Winfrey, from the Committee on Propositions and Grievances, asked that said committee be discharged from the further consideration of the petition of sundry citizens of Bath, Montgomery, and Nicholas, praying the establishment of a new county from portions of the territory of those counties.

Which was granted.

Mr. J. W. Johnson, from the Committee on Religion and Morals, asked that said committee be discharged from the further consideration of the petition of John A. Duff, asking to be permitted to sell whisky.

Which was granted.

The Senate took up for consideration the resolution offered by Mr. McAfee on the 9th instant, which was read as follows, viz:

Whereas, Recently, in the counties of Fayette and Jessamine, a great many acts of incendiarism have been committed by unknown parties; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to furnish this General Assembly with any information he may have on the subject; and, if necessary, to order the Adjutant General to investigate these outrages, and report the result of the same to this Legislature as early as practicable.

The question being taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate then took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of John P. Norvall, of Nicholas county.

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooke and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were--

Mr. SPEAKER (Leslie),	John W. Johnson,	A. G. Talbott,
A. K. Bradley,	A. L. McAfee,	Oscar Turner,
R. A. Burton,	W. H. Payne,	H. A. Tyler,
W. H. Chelf,	Lewis Perrin,	Ben. J. Webb,
John B. Clarke,	I A. Spalding,	I. C. Winfrey—16.
William Johnson,		

Those who voted in the negative, were—

F. M. Allison,	J. H. Dorman,	A. C. Vallandingham,
Robert Boyd,	Edwin Hawes,	G. A. C. Holt—7.
Lyttleton Cooke,		

The constitutional provision as to the third reading of said bill being dispensed with,

Mr. Vallandingham moved to postpone the further consideration of said bill to Wednesday next, February 15th.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Leslie),	William Johnson,	A. G. Talbott,
A. K. Bradley,	John W. Johnson,	Oscar Turner,
R. A. Burton,	W. H. Payne,	H. A. Tyler,
W. H. Chelf,	Lewis Perrin,	Ben. J. Webb,
John B. Clarke,	I. A. Spalding,	I. C. Winfrey—16.
J. B. Hayden,		

Those who voted in the negative, were—

F. M. Allison,	J. H. Dorman,	A. C. Vallandingham,
Robert Boyd,	Edwin Hawes,	G. A. C. Holt—7.
Lyttleton Cooke,		

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, had been signed by the Speakers of both Houses, and heretofore withdrawn from the Governor, entitled

An act to incorporate the Caverna Deposit Bank.

Which was granted.

A message was also received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, originating therein, entitled

An act to repeal an act, entitled "An act to authorize the county judge of Ohio county to sign certain orders, and to legalize the same," approved January 26th, 1871.

Which was granted, and said bill delivered to the messenger.

Mr. Vallandingham offered the following resolution, viz:

Resolved by the Senate, That Senate Rule No. 81 be, and the same is hereby, repealed.

Which lies one day on the table.

Mr. Vallandingham also read and laid on the table a joint resolution.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act revising the charter of the city of Paducah;

An act regulating the salaries of the judges of the circuit courts, criminal courts, courts of common pleas, and of the chancellor of the Louisville chancery court, and to provide for the payment of *pro tem.* judges and chancellors of said courts;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Boyd—

1. A bill for the benefit of Josh Bell county.

On motion of Mr. Vallandingham—

2. A bill for the benefit of, and to incorporate the Green river Synod of, the Cumberland Presbyterian Church.

On motion of Mr. Talbott—

3. A bill to incorporate the town of Milledgeville, in Lincoln county.

On motion of Mr. Burton—

4. A bill for the benefit of common school district No. 42, in Taylor county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Religion and Morals the 2d; the Committee on the Judiciary the 3d, and the Committee on Education the 4th.

On motion of Mr. Vallandingham, leave of indefinite absence was granted to Mr. Wrightson.

On motion of Mr. Cooke, leave of indefinite absence was granted to Mr. Lyttle.

And then the Senate adjourned.

MONDAY, FEBRUARY 13, 1871.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown, in Hardin county," approved February 26, 1858.

An act to amend the charter of the town of Danville.

An act to amend an act, entitled "An act to incorporate the Crescent City Sleeping Car Company," approved March 16th, 1870.

An act to incorporate the Caverna Deposit Bank.

With an amendment to the last named bill, which was referred to the Committee on Banks and Insurance.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the town of New Haven, in Nelson county."

An act to incorporate the Lexington Water-works Company.

An act providing a commissioner of county claims for Hart county.

An act to authorize the court of claims of Johnson county to levy and collect an *ad valorem* and poll tax for county purposes.

An act for the benefit of the Bullitt county court, authorizing them to levy a tax to erect public buildings.

An act for the benefit of the police judge of the town of Hawesville;

An act to increase the levy of Logan county.

An act to authorize the county court of Hardin county to levy a tax to erect public buildings in said county.

An act for the benefit of William P. Carden, of Hart county.

An act to incorporate the Elkton Railroad Company.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Dunaway Church, in Clark county, and the protection of religious worship therein.

2. An act to regulate the time of holding circuit courts in the Thirteenth Judicial District.

3. An act to change the time of holding the monthly sessions of the Bracken county court.

4. An act to amend the charter of the city of Newport.

5. An act to amend the charter of the city of Newport.

6. An act to amend the charter of the city of Cynthiana.

7. An act for the benefit of Nazareth Literary and Benevolent Institute and the Catholic congregation of Frankfort.

8. An act concerning the titles of John C. King, H. J. Lewis and brother, and E. H. Bland, to certain real estate formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky.

9. An act for the benefit of Emily Wall, of Harrison county.

10. An act prohibiting the Murphysville Turnpike Road Company from erecting or keeping a toll-gate within one mile of the town of Murphysville.

11. An act authorizing the trustees of the town of Shepherdsville to take stock in the Paroquet Springs Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 7th to the Committee on Religion and Morals; the 2d and 3d to the Committee on Courts of Justice; the 4th, 5th, 6th, 8th, 9th, and 11th to the Commit-

tee on the Judiciary, and the 10th to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Vallandingham—

1. A bill to amend the charter of the town of Franklin.

On motion of Mr. Wrightson—

2. A bill to amend an act, authorizing the city of Newport to construct water-works.

On motion of Mr. Wm. Johnson—

3. A bill to amend an act, approved March 15, 1869, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river."

Ordered, That the Committee on Claims prepare and bring in the 1st; the Committee on the Judiciary the 2d, and the Committee on Sinking Fund the 3d.

Mr. Holt, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of school districts Nos. 8 and 9, in McLean county;

An act to amend an act, entitled "An act to incorporate the Crescent City Sleeping Car Company," approved March 16th, 1870;

And enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend section 326 of the Civil Code of Practice;

An act to amend chapter seven of the Revised Statutes, title "Boats and Navigation;"

An act for the benefit of John W. Robinson, of Hickman county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5th, 1870;

An act to incorporate the town of Centre, in Metcalfe county;

An act to amend an act, entitled "An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town," approved February 25th, 1869;

An act to amend section 47, Criminal Code of Practice;

An act in relation to depositions heretofore taken, and oaths heretofore administered, by persons known as examiners;

An act for the benefit of the county attorney of Caldwell county;

An act to amend an act, entitled "An act to amend the charter of Bryantsville;"

An act amendatory of an act to amend an act, entitled "An act to incorporate the town of Hiseville, in Barren county;"

An act providing for the appointment of a county treasurer for Lincoln county;

Resolution regarding the installation of P. H. Leslie as Governor of Kentucky;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Holt reported that the committee had performed that duty.

A message in writing was also received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 13, 1871.

Gentlemen of the Senate and House of Representatives:

The last act of my administration is saddened by the unwelcome news, which it officially communicates to the General Assembly, that another old and honored citizen of this Commonwealth has passed away! Judge Daniel Breck is no more!

He died at his residence in Richmond on the 4th inst., at a quarter past eight o'clock, full of years and full of honor. He died with the simplicity in which he had lived—his strong intellect to the last undimmed by the snows of more than four-score winters.

Judge Breck has, for the last half century, played too conspicuous a part in the history of Kentucky to require a word of commendation from me. His life, character, and public service are his highest eulogium!

Born in the State of Massachusetts, he came as a youthful adventurer to Kentucky fifty-seven years ago, and soon thereafter settled in the county of Madison, where he has ever since lived, and where he now sleeps.

He was the architect of his fortune and his fame! On coming to the bar, he soon acquired distinction, and practiced his profession with profit and success.

As a member of the General Assembly, as Judge of the Appellate Court, and as a Representative in the Congress of the United States,

Daniel Breck guarded, with fearless and inflexible integrity, the honor and interest of Kentucky.

Judge Breck was eminently a practical man. He overvalued nothing that was common, and undervalued nothing that was useful. He was a man of strong will; fixed and determined in his convictions; warm in his affections; but consistent and unyielding in his political affinities. He was a zealous partisan, but a fearless, honest patriot; enjoying, to the highest degree, the confidence of his friends, and commanding, at all times, the respect of his opponents. His usefulness and success rested on the basis of a self-reliance, which all who knew him appreciated and admired.

Few men have been more useful, or enjoyed, to a larger degree, the confidence of the people among whom he lived than Judge Breck.

Born in the last century, he is another of our pure, patriotic, and able men so rapidly passing away, and of whom so few now remain to their country. It is a privilege to honor their memories!—to perpetuate their virtues, their wisdom, their patriotism, their public service, not as testimonials to the dead, but as examples to the living.

Very respectfully,

J. W. STEVENSON.

On motion,

Ordered, That said message be referred to a select committee.

Whereupon, Messrs. Carlisle, Webb, and Dorman were appointed said committee.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Vallandingham, from the Committee on Claims--

A bill to amend the charter of the town of Franklin.

By Mr. Carlisle, from the Committee on the Judiciary--

A bill to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works," approved January 26th, 1871.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was made the special order of the day for to-morrow, and the 1st was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill for the benefit of the tax-payers of Jessamine county,

With the pending amendment proposed by Mr. Gardner.

On motion of Mr. Hawes,

Ordered, That said bill and amendment be recommitted to the Committee on the Judiciary.

Mr. Talbott being temporarily in the Chair, Mr. Cooke offered the following resolution, viz:

Whereas, Under the provisions of the Constitution of the Commonwealth of Kentucky, the presiding officer of this body is called to administer the Executive department of the State government, in the place of the Hon. John W. Stevenson, whose resignation takes effect in a few minutes; therefore, be it

Resolved, That the able, impartial, and dignified manner in which the Hon. Preston H. Leslie has presided over the deliberations of the Senate, and the uniform kindness and courtesy which have characterized his intercourse with his associates, justly entitle him to our confidence and thanks; and we hereby tender to him, in the new and responsible position to which he is called, our best wishes and most cordial support.

Which was unanimously adopted.

The hour having arrived when the resignation of Hon. John W. Stevenson, as Governor of the Commonwealth, took effect, Hon. Preston H. Leslie, after delivering an appropriate address, formally vacated the Chair as Speaker of the Senate.

The committee appointed on behalf of the Senate, under the resolution regarding the installation of P. H. Leslie as Governor of Kentucky, having proceeded to inform the House of Representatives that the Senate was ready to proceed to the execution of the joint order, and a message having been received from the House of Representatives, announcing that they also were ready to proceed to the execution of the joint order as in said resolution provided,

The Senate, in a body, followed by the joint committee, conducting Hon. P. H. Leslie, accompanied by ex-Governor Stevenson, proceeded to the Hall of the House of Representatives, where, after appropriate addresses from the out-going and in-coming Governors, the oath of office, as prescribed by the Constitution, was duly administered to said Preston H. Leslie as Governor of this Commonwealth.

The Senate immediately returned and resumed its session.

The Clerk of the Senate announced that, in consequence of the vacancy in the office of Speaker of the Senate, occasioned by the qualification of Hon. P. H. Leslie as Governor of the Common-

wealth, it now devolved upon the Senate to elect a Speaker for the occasion.

Mr. Spalding moved that the Senate do now adjourn until to-morrow morning at 10 o'clock.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

TUESDAY, FEBRUARY 14, 1871.

As, previous to adjournment on yesterday, the Clerk of the Senate again announced that it devolved upon the Senate to elect a Speaker to fill the vacancy occasioned by the qualification of the late Speaker as Governor of the Commonwealth, and that nominations for the office of Speaker were therefore in order,

Mr. Clarke nominated Mr. Carlisle as a suitable person to fill the office of Speaker.

Mr. Spalding nominated Mr. Holt for said office.

Mr. Bradley nominated Mr. Turner.

Mr. Burton nominated Mr. Talbott, and, at Mr. Talbott's request, withdrew the nomination.

Mr. Whitaker nominated Mr. Cooke.

The vote was then taken, and resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

J. Q. Chenoweth,	Edwin Hawes,	Oscar Turner,
John B. Clarke,	Lewis Perrin,	Thos. Wrightson—7.
W. McKee Fox,		

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	J. H. Dorman,	A. L. McAfee,
W. H. Chelf,	Joseph Gardner,	I. A. Spalding—7.
Lyttleton Cooke,		

Those who voted for Mr. Turner, were—

A. K. Bradley,	G. A. C. Holt,	E. D. Standeford,
Jno. G. Carlisle,	Wm. Johnson,	A. G. Talbott,
J. B. Hayden,	W. H. Payne,	H. A. Tyler—9.

Those who voted for Mr. Cooke, were—

F. M. Allison, John W. Johnson, Ben. J. Webb,
R. A. Burton, W. L. Vories, Emery Whitaker—7.
G. W. Connor,

No one having received a majority of all the votes cast, a second vote was taken, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

J. Q. Chenoweth, Edwin Hawes, I. C. Winfrey,
John B. Clarke, Oscar Turner, Thos. Wrightson—7.
W. McKee Fox,

Those who voted for Mr. Holt, were—

Jos. M. Alexander, J. H. Dorman, Lewis Perrin,
W. H. Chelf, Joseph Gardner, I. A. Spalding—8.
Lyttleton Cooke, A. L. McAfee,

Those who voted for Mr. Turner, were—

A. K. Bradley, G. A. C. Holt, E. D. Standeford,
Jno. G. Carlisle, William Johnson, A. G. Talbott,
J. B. Hayden, W. H. Payne, H. A. Tyler—9.

Those who voted for Mr. Cooke, were—

F. M. Allison, John W. Johnson, Ben. J. Webb,
R. A. Burton, W. L. Vories, Emery Whitaker—7.
G. W. Connor,

No one having received a majority of all the votes cast, a third vote was taken, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

R. A. Burton, W. McKee Fox, I. C. Winfrey,
J. Q. Chenoweth, Edwin Hawes, Thos. Wrightson—7.
John B. Clarke,

Those who voted for Mr. Holt, were—

Jos. M. Alexander, J. H. Dorman, Lewis Perrin,
W. H. Chelf, Joseph Gardner, I. A. Spalding,
Lyttleton Cooke, A. L. McAfee, Oscar Turner—9.

Those who voted for Mr. Turner, were—

A. K. Bradley, G. A. C. Holt, E. D. Standeford,
John G. Carlisle, William Johnson, A. G. Talbott,
J. B. Hayden, W. H. Payne, H. A. Tyler—9.

Those who voted for Mr. Cooke, were—

F. M. Allison, John W. Johnson, Ben. J. Webb,
G. W. Connor, W. L. Vories, Emery Whitaker—6.

No one having received a majority of all the votes cast, and the nomination of Mr. Cooke having been, at his own request, withdrawn by Mr. Whitaker, another and fourth ballot was taken, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

F. M. Allison,	G. W. Connor,	E. D. Standeford,
R. A. Burton,	W. McKee Fox,	Oscar Turner,
J. Q. Chenoweth,	Edwin Hawes,	I. C. Winfrey,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—12.

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	J. H. Dorman,	I. A. Spalding,
Robert Boyd,	Joseph Gardner,	W. L. Vories,
W. H. Chelf,	A. L. McAfee,	Ben. J. Webb,
Lyttleton Cooke,	Lewis Perrin,	Emery Whitaker—12.

Those who voted for Mr. Turner, were—

A. K. Bradley,	G. A. C. Holt,	A. G. Talbott,
John G. Carlisle,	Wm. Johnson,	H. A. Tyler—8.
J. B. Hayden,	W. H.Payne,	

No one having received a majority of all the votes cast, another and fifth vote was then taken, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

F. M. Allison,	G. W. Connor,	John W. Johnson,
J. Q. Chenoweth,	W. McKee Fox,	I. C. Winfrey,
John B. Clarke,	Edwin Hawes,	Thos. Wrightson—9.

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	Joseph Gardner,	H. A. Tyler,
Robert Boyd,	A. L. McAfee,	W. L. Vories,
W. H. Chelf,	Lewis Perrin,	Ben. J. Webb,
Lyttleton Cooke,	I. A. Spalding	Emery Whitaker—14.
J. H. Dorman,	Oscar Turner,	

Those who voted for Mr. Turner, were—

A. K. Bradley,	J. B. Hayden,	W. H. Payne,
R. A. Burton,	G. A. C. Holt,	E. D. Standeford,
John G. Carlisle,	William Johnson,	A. G. Talbott—9.

No one having yet received a majority of all the votes cast, another and sixth vote was then taken, and resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

F. M. Allison,	W. McKee Fox,	Oscar Turner,
J. Q. Chenoweth,	Edwin Hawes,	I. C. Winfrey,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—10.
G. W. Connor,		

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	J. H. Dorman,	I. A. Spalding,
Robert Boyd,	Joseph Gardner,	W. L. Vories,
W. H. Chelf,	A. L. McAfee,	Ben. J. Webb,
Lyttleton Cooke,	Lewis Perrin,	Emery Whitaker—12.

Those who voted for Mr. Turner, were—

A. K. Bradley,	G. A. C. Holt,	E. D. Standeford,
R. A. Burton,	William Johnson,	A. G. Talbott,

Jno. G. Carlisle, W. H. Payne, H. A. Tyler—10.
J. B. Hayden,

No one having received a majority of all the votes cast, Mr. Fox moved that the Senate do now adjourn until to-morrow morning at 10 o'clock.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooke and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	W. H. Payne,
A. K. Bradley,	W. McKee Fox,	E. D. Standeford,
R. A. Burton,	Joseph Gardner,	A. G. Talbott,
John G. Carlisle,	Edwin Hawes,	Oscar Turner,
J. Q. Chenoweth,	William Johnson,	I. C. Winfrey,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—18.

Those who voted in the negative, were—

Jos. M. Alexander,	J. B. Hayden,	H. A. Tyler,
F. M. Allison,	G. A. C. Holt,	W. L. Vories,
W. H. Chelf,	A. L. McAfee,	Ben. J. Webb,
Lyttleton Cooke,	Lewis Perrin,	Emery Whitaker—14.
J. H. Dorman,	I. A. Spalding	

So the Senate adjourned.

WEDNESDAY, FEBRUARY 15, 1871.

As, previous to adjournment on yesterday, Messrs. Carlisle, Holt, and Turner being in nomination for the office of Speaker of the Senate, the Senate proceeded to take another and seventh vote for Speaker, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

J. Q. Chenoweth,	W. McKee Fox,	Lewis Perrin,
John B. Clarke,	G. A. C. Holt,	A. C. Vallandingham,
G. W. Connor,	John W. Johnson,	Oscar Turner—9.

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	Lyttleton Cooke,	A. L. McAfee,
Robert Boyd,	J. H. Dorman,	I. A. Spalding,
W. H. Chelf,	Joseph Gardner,	Ben. J. Webb—9.

Those who voted for Mr. Turner, were—

F. M. Allison,	J. B. Hayden,	H. A. Tyler,
A. K. Bradley,	William Johnson,	W. L. Vories,
R. A. Burton,	W. H. Payne,	I. C. Winfrey,
John G. Carlisle,	E. D. Standeford,	Thos. Wrightson—14.
Edwin Hawes,	A. G. Talbott,	

No one having received a majority of all the votes cast, the nomination of Mr. Turner was, at his own request, withdrawn by Mr. Bradley.

Mr. Winfrey nominated Mr. Talbott.

And the Senate proceeded to take another and eighth vote, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

A. K. Bradley,	W. McKee Fox,	John W. Johnson,
John B. Clark,	Edwin Hawes,	Lewis Perrin,
Harrison Cockrill,	G. A. C. Holt,	Thos. Wrightson—10.
G. W. Connor,		

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	Joseph Gardener,	A. G. Talbott,
Robert Boyd,	A. L. McAfee,	H. A. Tyler,
W. H. Chelf,	W. H. Payne,	A. C. Vallandingham,
Lyttleton Cooke,	I. A. Spalding,	W. L. Vories,
J. H. Dorman,	E. D. Standeford,	Ben. J. Webb—15.

Those who voted for Mr. Talbott, were—

F. M. Allison,	J. Q. Chenoweth,	Oscar Turner,
R. A. Burton,	J. B. Hayden,	I. C. Winfrey—8.
John G. Carlisle,	Wm. Johnson,	

No one having received a majority of all the votes cast, another and ninth vote was taken, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

F. M. Allison,	G. W. Connor,	Lewis Perrin,
A. K. Bradley,	W. McKee Fox,	Oscar Turner,
J. Q. Chenoweth,	Edwin Hawes,	A. C. Vallandingham,
John B. Clarke,	G. A. C. Holt,	Thos. Wrightson—14.
Harrison Cockrill,	John W. Johnson,	

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	J. H. Dorman,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	H. A. Tyler,
Jno. G. Carlisle,	A. L. McAfee,	W. L. Vories,
W. H. Chelf,	W. H. Payne,	Ben. J. Webb—14.
Lyttleton Cooke,	I. A. Spalding,	

Those who voted for Mr. Talbott, were—

R. A. Burton,	William Johnson,	I. C. Winfrey—4.
J. B. Hayden,		

A. G. Talbott voted for Mr. Burton—1.

No one having received a majority of all the votes cast, and the nomination of Mr. Talbott having been, at his own request, withdrawn by Mr. Winfrey, another and tenth vote was taken, and resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

F. M. Allison,	G. W. Connor,	John W. Johnson,
A. K. Bradley,	W. McKee Fox,	Lewis Perrin,
R. A. Burton,	Edwin Hawes,	A. C. Vallandingham,
J. Q. Chenoweth,	G. A. C. Holt,	I. C. Winfrey,
John B. Clarke,	William Johnson,	Thos. Wrightson—16.
Harrison Cockrill,		

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	J. B. Hayden,	A. G. Talbott,
John G. Carlisle,	A. L. McAfee,	H. A. Tyler,
W. H. Chelf,	W. H. Payne,	W. L. Vories,
Lyttleton Cooke,	I. A. Spalding,	Ben. J. Webb—16.
J. H. Dorman,		

No one having received a majority of all the votes cast, another and eleventh vote was taken, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

F. M. Allison,	G. W. Connor,	William Johnson,
A. K. Bradley,	W. McKee Fox,	Lewis Perrin,
R. A. Burton,	Edwin Hawes,	A. C. Vallandingham,
J. Q. Chenoweth,	G. A. C. Holt,	I. C. Winfrey,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—16.
Harrison Cockrill,		

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	J. B. Hayden,	A. G. Talbott,
John G. Carlisle,	A. L. McAfee,	H. A. Tyler,
W. H. Chelf,	W. H. Payne,	W. L. Vories,
Lyttleton Cooke,	I. A. Spalding,	Ben. J. Webb—16.
J. H. Dorman,		

Neither of those in nomination having received a majority of all the votes cast, another and twelfth vote was taken, which resulted as follows, viz :

Those who voted for Mr. Carlisle, were—

F. M. Allison,	G. W. Connor,	John W. Johnson,
A. K. Bradley,	W. McKee Fox,	Lewis Perrin,
R. A. Burton,	Edwin Hawes,	A. C. Vallandingham,
J. Q. Chenoweth,	G. A. C. Holt,	I. C. Winfrey,
John B. Clarke,	William Johnson,	Thos. Wrightson—16.
Harrison Cockrill,		

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	J. B. Hayden,	A. G. Talbott,
John G. Carlisle,	A. L. McAfee,	H. A. Tyler,
W. H. Chelf,	W. H. Payne,	W. L. Vories,
Lyttleton Cooke,	I. A. Spalding	Ben. J. Webb—16.
J. H. Dorman,		

Neither having received a majority of all the votes cast, Mr. Vallandingham moved that the Senate do now adjourn until to-morrow morning at 10 o'clock.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McAfee and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Harrison Cockrill,	John W. Johnson,
A. K. Bradley,	G. W. Connor,	Oscar Turner,
John G. Carlisle,	W. McKee Fox,	A. C. Vallandingham,
J. Q. Chenoweth,	Edwin Hawes,	I. C. Winfrey—14.
John B. Clarke,	Wm. Johnson,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. B. Hayden,	E. D. Standeford,
F. M. Allison,	G. A. C. Holt,	A. G. Talbott,
R. A. Burton,	A. L. McAfee,	H. A. Tyler,
W. H. Chelf,	W. H.Payne,	W. L. Vories,
Lyttleton Cooke,	Lewis Perrin,	Ben. J. Webb,
J. H. Dorman,	I. A. Spalding,	Thos. Wrightson—19.
Joseph Gardner,		

Mr. Talbott then nominated Mr. Burton for the office of Speaker.

Mr. Vallandingham nominated Mr. Payne; but, at the latter's request, withdrew the nomination.

Mr. Wrightson nominated Mr. Webb; at whose request, however, he withdrew the nomination.

Another and thirteenth vote was then taken, and resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

F. M. Allison,	John B. Clarke,	G. A. C. Holt,
A. K. Bradley,	G. W. Connor,	John W. Johnson,
R. A. Burton,	Edwin Hawes,	Lewis Perrin—9.

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	Joseph Gardner,	W. L. Vories,
Robert Boyd,	W. H. Payne,	Ben. J. Webb—8.
J. H. Dorman,	I. A. Spalding,	

Those who voted for Mr. Burton, were—

Jno. G. Carlisle,	J. B. Hayden,	Oscar Turner,
W. H. Chelf,	William Johnson,	H. A. Tyler,
J. Q. Chenoweth,	A. L. McAfee,	A. C. Vallandingham,
Harrison Cockrill,	E. D. Standeford,	I. C. Winfrey,
Lyttleton Cooke,	A. G. Talbott,	Thos. Wrightson—16.
W. McKee Fox,		

No one having received a majority of all the votes cast, Mr. Bradley moved that the Senate do now adjourn until to-morrow morning at ten o'clock.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	G. W. Connor,	John W. Johnson,
John G. Carlisle,	W. McKee Fox,	Oscar Turner,
J. Q. Chenoweth,	Joseph Gardner,	I. C. Winfrey,
John B. Clarke,	Edwin Hawes,	Thos. Wrightson—14.
Harrison Cockrill,	William Johnson,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. B. Hayden,	E. D. Standeford,
F. M. Allison,	G. A. C. Holt,	A. G. Talbott,
Robert Boyd,	A. L. McAfee,	H. A. Tyler,
R. A. Burton,	W. H. Payne,	A. C. Vallandingham
W. H. Chelf,	Lewis Perrin,	W. L. Vories,
J. H. Dorman,	I. A. Spalding,	Ben. J. Webb—18.

Mr. Wrightson nominated Mr. Webb to fill the office of Speaker.

Mr. Vallandingham moved that the Senate do now adjourn until to-morrow morning at 10 o'clock.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Clarke, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Harrison Cockrill,	E. D. Standeford,
A. K. Bradley,	G. W. Connor,	A. G. Talbott,
R. A. Burton,	W. McKee Fox,	Oscar Turner,
Jno. G. Carlisle,	Edwin Hawes,	A. C. Vallandingham,
J. Q. Chenoweth,	William Johnson,	I. C. Winfrey,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—18.

Those who voted in the negative, were—

Jos. M. Alexander,	Joseph Gardner,	Lewis Perrin,
Robert Boyd,	J. B. Hayden,	I. A. Spalding
W. H. Chelf,	G. A. C. Holt,	H. A. Tyler,
Lyttleton Cooke,	A. L. McAfee,	W. L. Vories,
J. H. Dorman,	W. H. Payne,	Ben. J. Webb—15.

So the Senate adjourned.

THURSDAY, FEBRUARY 16, 1871.

Messrs. Carlisle, Holt, Burton, and Webb being in nomination for the office of Speaker of the Senate at the hour of adjournment on yesterday,

The nomination of Mr. Webb was, at his own request, withdrawn by Mr. Wrightson.

The nomination of Mr. Burton was also, at his own request, withdrawn by Mr. Talbott.

The Senate then proceeded to take another and fourteenth vote for Speaker, which resulted as follows, viz:

Those who voted for Mr. Carlisle, were—

F. M. Allison,	G. W. Connor,	John W. Johnson,
A. K. Bradley,	W. McKee Fox,	Oscar Turner,
R. A. Burton,	Edwin Hawes,	A. C. Vallandingham,
J. Q. Chenoweth,	G. A. C. Holt,	I. C. Winfrey,

John B. Clarke, William Johnson, Thos. Wrightson—16.
Harrison Cockrill,

Those who voted for Mr. Holt, were—

Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	J. B. Hayden,	A. G. Talbott,
John G. Carlisle,	A. L. McAfee,	H. A. Tyler,
W. H. Chelf,	W. H. Payne,	W. L. Vories,
Lyttleton Cooke,	Lewis Perrin,	Ben. J. Webb,
J. H. Dorman,	I. A. Spalding,	Emery Whitaker—18.

Mr. Holt having received a majority of all the votes cast, was duly elected Speaker of the Senate, and was so declared.

Messrs. Carlisle and Burton being appointed a committee for that purpose, conducted Mr. Holt to the Chair, who, after taking the oath prescribed by the Constitution, and delivering an appropriate address, at once assumed the duties of Speaker.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, originating in the Senate, entitled

An act to amend an act, entitled "An act to establish the office of Administrator and Guardian," approved January 28, 1865.

And that they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of C. C. Harbin, jailer of Laurel county.

An act to require railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains, in cases where tickets are required before entering the cars.

With an amendment as a substitute for said bill.

Which amendment was referred to the Committee on Railroads.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled resolution, which originated in the House of Representatives, entitled

Resolution regarding the inauguration of P. H. Leslie as Governor of Kentucky.

And that they had also received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town," approved February 25th, 1869.

An act to amend section 47, Criminal Code of Practice.

An act amendatory of an act to amend an act, entitled "An act to incorporate the town of Hiseville, in Barren county."

An act to amend an act, entitled "An act to amend the charter of Bryantsville."

An act to incorporate the town of Centre, in Metcalfe county.

An act to amend section 326 of the Civil Code of Practice.

An act in relation to depositions heretofore taken, and oaths heretofore administered, by persons known as examiners.

An act for the benefit of the county attorney of Caldwell county.

An act providing for the appointment of a county treasurer for Lincoln county.

And that they had passed bills and adopted a resolution of the following titles, viz:

1. An act to amend an act, entitled "An act authorizing the legal voters of the county of Lee to locate the county seat of said county," approved January 28th, 1871.

2. An act to protect the manufacturers and bottlers of mineral water, ale, &c.

3. An act to amend section 6 of article 3, chapter 26, Revised Statutes, title "County Levy."

4. An act to amend section 5, article 7, chapter 32, Revised Statutes, title "Elections."

5. An act to amend the charter of the Stanford and Milledgeville Turnpike Company.

6. An act in relation to the sale of spirituous liquors in Morgan county.

7. An act to regulate the making of deeds in the Louisville chancery court.

8. An act to repeal in part and amend an act, entitled "An act to punish certain trespasses in Jefferson, Scott, Mason, Kenton, Campbell, and Woodford counties."

9. An act to amend an act to regulate the sale of spirituous liquors to minors.

10. Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st to the Committee on Courts of Justice; the 2d to the Committee on Agriculture and Manufactures; the 3d, 4th, and 8th to the Committee Revised Statutes and Codes of Practice ; the 5th to the Committee on Internal Improvement; the 6th and 9th to the Committee on Religion and Morals, and the 7th and 10th to the Committee on the Judiciary.

On motion of Mr. Chelf, leave of indefinite absence was granted to Mr. Cooke.

The following bills were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Cooke, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to incorporate the Ohio Valley White Lead and Manufacturing Company of Louisville," approved January 15, 1870.

By Mr. Wm. Johnson, from same committee—

A bill authorizing certain voters of Nelson county to vote a tax to aid in the construction of the Chaplain and Anderson Turnpike Road, and the Ash Creek Turnpike Road.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the city of Cynthiana,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor by Mr Samuels, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 16, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent R. T. Petree as a suitable person to fill the vacancy occasioned by the resignation of John B. Gowen, as Manager of the Western Lunatic Asylum at Hopkinsville, Ky.

Very respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointment.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

A act to amend an act, entitled "An act to incorporate the Crescent City Sleeping Car Company," approved March 16th, 1870.

An act for the benefit of school districts Nos. 8 and 9, in McLean county.

The following petitions were presented, viz:

By Mr. Whitaker—

1. The petition of the citizens of Vanceburg, praying an amendment to the law chartering the Vanceburg Male and Female Academy.

By Mr. Talbott—

2. The petition of the medical society of Lincoln county, asking legislation on certain subjects.

By Mr Payne—

3. The petition of C. T. Vinnigerholtz, asking an investigation of the charge that an amendment to the charter of Pewee Valley had been fraudulently procured.

By Mr. Hayden—

4. The petition of citizens of Sonora, in Hardin county, asking that the sale of liquors in said town be restricted.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education; the 2d and 4th to the Committee on Religion and Morals, and the 3d to the Committee on the Judiciary.

The Senate took up for consideration the motion heretofore made by Mr. Tyler to reconsider the vote by which the Senate had rejected a bill, entitled

A bill for the benefit of the Kentucky Eastern Lunatic Asylum.

The question being taken on said motion, it was decided in the affirmative.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the several sums hereinafter specified be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the Kentucky Eastern Lunatic Asylum, to be applied by the Board of Managers of said Asylum in the following manner, viz: The sum of five thousand dollars is hereby appropriated, to be applied by said Board of Managers to repairing and restoring the buildings injured and destroyed by the late fire of said Asylum; and the sum of three thousand dollars is hereby appropriated, to be applied by said Board of Managers to repairing the old fencing, and in building new fencing on the farm belonging to said Asylum; and the sum of fifteen hundred dollars is hereby appropriated, to be applied by said Board of Managers to repairing the roof, windows, doors, &c., of the old Asylum buildings; and the Auditor, on the application of the President of said Board of Managers, is hereby authorized and instructed to issue his warrant on the Treasurer for the payment of the same.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

os. M. Alexander,	Lyttleton Cooke,	Lewis Perrin,
. M. Allison,	J. H. Dorman,	I. A. Spalding,
obert Boyd,	Joseph Gardner,	E. D. Standeford,
. A. Burton,	Edwin Hawes,	A. G. Talbott,
no. G. Carlisle,	J. B. Hayden,	H. A. Tyler,
V. H. Chelf,	G. A. C. Holt,	A. C. Vallandingham,
. Q. Chenoweth,	Wm. Johnson,	W. L. Vories,
John B. Clarke,	John W. Johnson,	Emery Whitaker,
Harrison Cockrill,	A. L. McAfee,	I. C. Winfrey,
G. W. Connor,	W. H. Payne,	Thos. Wrightson—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate then took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water-works," approved January 26th, 1871.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That for the purpose of facilitating the construction, completion, and extension of the water-works authorized to be constructed by said act, approved January 26th, 1871, whenever, at any time, before the completion of said water-works, and the furnishing of water to the citizens of Newport, or thereafter, in the opinion of the city council of the city of Newport, it shall be deemed to be the interest of said city to sell, convey, and dispose of the same, or any part thereof, not including, under any circumstances, the supply, main, and distributing pipes connected with said works, used to supply said city of Newport with water, to any individuals, trustees, or corporations, either in or out of the State, they are hereby authorized to do so: *Provided*, That in case of any such sale, transfer, or conveyance, provision is made, by contract, for the proper and full supply of the city of Newport with water pure for all purposes, said contract shall be based upon an equitable *pro rata* cost of pumping, storing, and supplying the same to the distributing pipes, and shall not exceed the maximum price at which said supply of water shall be furnished by the purchasing party to the city council or board of water-works trustees of the city of Newport of five cents per one thousand gallons of water; and no charge, howsoever, shall be made for water used for extinguishing fires, the supply of the public buildings, or other public use: *And provided further*, Such sale or transfer shall in nowise convey from the city council of the city of Newport, or the board of water-works trustees, in the before-mentioned act authorized to be elected, the control or regulation of the rates or charges for water, to consumers thereof, in the city of Newport; neither shall the rates or charges for water to consumers in said city, in case of such sale, ever be higher than is now charged by the water-works board of Cincinnati, or may hereafter be charged, for similar service of water to citizens or consumers of water in the city of Cincinnati, or other city that may purchase said works and be supplied with water therefrom. The price contracted to be paid for said water-works, or any portion of the same, shall not be less than their actual cost, or the cost of such portion; and the sum received be applied to the liquidation of the debt authorized to be created by said act. The rights, powers, and immunities conferred on the city council of Newport by said act, to acquire, construct, and operate said water-works and appurtenances, except as to condemning lands, issuing bonds in the name of the city of Newport, levying a tax on the property of the citizens of the city of Newport; also to control, manage, and extend the supply and distributing pipes; to manage the water-works fund of the city of Newport; and fixing and regulating the rates of charges for the supply of water to the citizens and consumers of water of the city of Newport, and such other powers as are inherent to the proper management and control of the above, and which are hereby expressly reserved to said city council or board of water-works trustees of the city of Newport,

shall, in case of such sale, transfer, or conveyance, provided for in this amendment, inure to, and be conferred upon, the purchaser in like manner, and as fully as they are by said act conferred upon said city.

§ 2. Upon the completion of the construction of the aqueduct and bridge across the Ohio river, authorized to be constructed by the above cited act, it shall be lawful to collect tolls for traffic across the same; the said tolls shall be for similar traffic, the same, or no more, than is now allowed by law to be charged by the Newport and Cincinnati Bridge Company for traffic across their bridge.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. William Johnson and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	J. H. Dorman,	Lewis Perrin,
Robert Boyd,	W. McKee Fox,	I. A. Spalding
R. A. Burton,	Edwin Hawes,	A. G. Talbott,
Jno. G. Carlisle,	John W. Johnson,	Emery Whitaker,
W. H. Chelf,	A. L. McAfee,	I. C. Winfrey,
. Q. Chenoweth,	W. H. Payne,	Thos. Wrightson—19.
. W. Connor,		

Those who voted in the negative, were—

. K. Bradley,	William Johnson,	Oscar Turner,
yttleton Cooke,	E. D. Standeford,	H. A. Tyler—7.
. A. C. Holt,		

Resolved, That the title of said bill be as aforesaid.

Mr. Gardner, from the Committee on the Penitentiary, presented ıe following report, viz:

The Joint Committee on the Penitentiary, acting under the follow- ıg resolution, viz:

"*Resolved by the General Assembly of the Commonwealth of Kentucky*, hat the Committees on the Penitentiary of the two Houses be re- uested to examine the buildings, shops, and machinery in the rison; also, the general condition of the inmates, and the treatment f the same, including the kind of clothing furnished them, male and male, and the kind and amount of food furnished and kept on and for their use, and report to the General Assembly concerning e above inquiries; and also whether it is advisable to appropriate oney to extend the prison and works at this place, or to establish a anch at some other point in the State."

Find, after going through and thoroughly examining all the work- ops, machinery, and cells connected with the prison, together with hospital, chapel, and dining-room, that the buildings, machine ops, and machinery of the Penitentiary are all in good order, so

far as they could judge; that the condition of the inmates of the prison is good; that the hospital accommodations are excellent and in the best order; and *that* the inmates are well taken care of when sick, the evidence before them left no room for doubt. We were conducted through the hospital by Dr. Phythian, who gave us all the information we desired in relation to the management of this department.

We visited and examined the place for the confinement of the females of the prison, and also the place where they work. Their place of sleeping is immediately over the hospital, and they are all put in the same room; there being no other place for them, as the prison is now arranged. The place at which they are worked is an open shed, unfit to work under in cold or wet weather. They are dressed in men's clothing during working hours, at their own request, as we understand from the Keeper and others, as it is more convenient for working purposes. We also understand that their sleeping room is used for them as a hospital when they are sick. It seems to us that the accommodations for females are very bad, and we call the especial attention of the General Assembly to the Report of the Keeper of 1st February, for the "erection of a cell-house and work-shop in the women's yard."

The hemp-house and the different rooms for the manufacturing of hemp into bagging were examined, together with the machinery. This is the principal business of the prison, and the number of hands employed is so great, that about one hundred in this business are worked under sheds temporarily erected for the purpose by the Keeper of the prison.

The eating-house, erected near the center of the prison-yard, was visited and examined. Here we found food in preparation which was good and wholesome. We have no reason to doubt, from the evidence before us, but that the prisoners are well supplied with a sufficient amount of bread, meats, and vegetables.

Over the eating-room is the chapel, where the prisoners are instructed every Sunday in the precepts of the Bible. The State very generously last winter made an appropriation of three hundred dollars for the purpose of furnishing a library to the prison. The library is under the care of Wm. McD. Abbett, the Chaplain of the Penitentiary, who informed us, that with the money furnished by the State, donations by the Young Men's Christian Association of this city, and the American Tract Society, and a supply of Bibles and Testaments

by the American Bible Society, the library is pretty well supplied with such books as are necessary for the convicts. The Chaplain visits the prison frequently during the week, and spends his afternoons on Saturdays giving out books to the prisoners. He preaches two sermons on Sunday, and finds the prisoners well behaved during service. The want of the chapel is more seats to accommodate all that attend.

We had before us Mr. E. Whitesides, First Assistant Keeper, who has been employed in the prison for eighteen years; John Hockersmith, who has the general police regulations of the yard under his charge, counts the prisoners in their cells at night, and provides food for them; John Williams, superintendent hemp department; John R. Shaw, superintendent blacksmith and wagon-shops; W. H. Dawson, superintendent of the tailor and shoe-shops—all of whom had been employed for some years in the prison; also, Mr. Robinson and Mr. Sharp, two of the State Board of Visitors, and their evidence all concurred as to the uniform good treatment of the prisoners, and that they were amply supplied with food and clothing; that none were compelled to work when sick, but were immediately sent to the hospital.

We found the pressing and immediate wants of the Penitentiary to be a warehouse, or warehouses, for the storage of materials, and the repairing of the offices at the entrance. There is a lot of ample size near the prison, the property of the State, upon which now stands a warehouse and dwelling-house. The warehouse is not of sufficient size for the business of the prison. Besides being too small, it is in bad condition and unsafe. As an evidence, the present Keeper of the prison has a large warehouse of his own, and is renting another at the rate of one thousand dollars per annum, and the *three* are scarcely sufficient for the wants of his business connected with the Penitentiary.

From the report of the Keeper to the present session of the General Assembly, we ascertain that there were confined in the Penitentiary on the first of January of this year—white males, three hundred and sixty-four; white females, two; black males, two hundred and eighty-one; black females, thirty-three; making in all six hundred and eighty persons. This is a very large number, and we deem it would be greatly to the advantage of the inmates to enlarge the bounds of the Penitentiary. The height of the walls now around the prison should be raised to make it more secure against escapes. But the present

wants—that can scarcely be done without—are the erection of a work-shop and cell-house in the women's yard, warehouses for the business of the prison, and the repairing of the building at the entrance.

JOSEPH GARDNER,
EDWIN HAWES,
LEWIS PERRIN,
E. A. PEARSON,
BEN. HARDIN,
FRANCIS R. DAVIS,
R. E. HUMPHREY,
J. L. HIBBS,
N. C. DILLE,
G. W. LITTLE.

Which was ordered to be printed.

Mr. Chenoweth, from the Committee on Military Affairs, reported a bill, entitled

A bill concerning the Adjutant General.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Hawes moved an amendment to said bill.

On motion of Mr. Talbott,

Ordered, That the further consideration of said bill and amendment be postponed until Tuesday next, February 21st.

The Senate took up for consideration a bill, entitled

A bill to change the time of holding the circuit courts in the 1st judicial district.

Mr. Turner moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read:

An act to change the time of holding the circuit courts in the 1st judicial district, and providing for the change of cases to court of common pleas in certain cases.

The Senate took up for consideration a resolution from the House of Representatives, entitled

Resolution fixing day for final adjournment.

Said resolution was read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Wednesday, the 1st day of March, they will adjourn without day.

The question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

The Senate took up for consideration a bill, entitled

A bill to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department.

On motion of Mr. Spalding,

Ordered, That said bill be recommitted to the Committee on Banks and Insurance.

The Senate took up for consideration a bill, entitled

A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments,"

With the pending amendment proposed by Mr. Talbott as a substitute for said bill.

Which amendment reads as follows, viz:

Whereas, Official information has been received from the Governor that combined lawlessness exists in the State so extensive that the means now "at his command are inadequate for the successful performance of his public duties;" and whereas, it is the first duty and the highest interest of every well-organized good government to see that the laws be promptly and faithfully executed and order maintained; therefore, to meet the exigencies of the case,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of twenty thousand dollars be, and the same is hereby, set apart, out of any money in the Treasury not otherwise appropriated, and placed at the disposal of the Governor of this Commonwealth; and he is hereby authorized to draw his warrant on the Treasurer for such part thereof as he may, from time to time, deem necessary to enable him to detect the offenders, enforce the laws, suppress crime, maintain the peace and dignity of the Commonwealth, and secure to every inhabitant thereof the full and peaceful enjoyment of life, liberty, and property: *Provided, however*, That no part of the sum hereby appropriated shall be paid as a fee contingent for conviction in any case that may arise under the laws of this Commonwealth.

§ 2. This act shall take effect from its passage.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	Lewis Perrin,	W. L. Vories—5.
W. H. Payne,	A. G. Talbott,	

Those who voted in the negative, were—

F. M. Allison,	J. H. Dorman,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	Oscar Turner,
A. K. Bradley,	Edwin Hawes,	H. A. Tyler,
John G. Carlisle,	J. B. Hayden,	A. C. Vallandingham
W. H. Chelf,	G. A. C. Holt,	Ben. J. Webb,
John B. Clarke,	William Johnson,	Emery Whitaker,
Harrison Cockrill,	John W. Johnson,	I. C. Winfrey,
G. W. Connor,	I. A. Spalding,	Thos. Wrightson—25.
Lyttleton Cooke,		

Mr. Wm. Johnson offered the following amendment as an additional section to said bill, viz:

In the prosecution of any person for a violation of any of the provisions of this act, it shall be no exemption for a witness that his testimony may criminate himself; but no such testimony given by the witness shall be used against him in any prosecution except for perjury, and he shall be discharged from all liability for a violation of any of the provisions of this act so necessarily disclosed in his testimony; and furthermore, the person against whom he testifies shall not be received to prove any violation of this act theretofore by such witness.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	I. A. Spalding,
A. K. Bradley,	Joseph Gardner,	E. D. Standeford,
R. A. Burton,	Edwin Hawes,	Oscar Turner,
John G. Carlisle,	J. B. Hayden,	H. A. Tyler,
W. H. Chelf,	G. A. C. Holt,	Ben. J. Webb,
John B. Clarke,	Wm. Johnson,	Emery Whitaker,
G. W. Connor,	John W. Johnson,	I. C. Winfrey,
Lyttleton Cooke,	Lewis Perrin,	Thos. Wrightson—24.

Those who voted in the negative, were—

F. M. Allison, A. G. Talbott, W. L. Vories—4.
W. H.Payne,

Resolved, That the title of said bill be as aforesaid.

Mr. Spalding, from the Committee on Banks and Insurance, to whom was referred an amendment proposed by the House of Representatives, to a bill from the Senate, entitled

An act to incorporate the Caverna Deposit Bank,

Reported the same, with the expression of opinion that said amendment should be concurred in.

The question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Danville;

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown, in Hardin county," approved February 26, 1858;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John P. Norvall, of Nicholas county;

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro Turnpike Road Company;"

An act prohibiting the sale of spirituous liquors, &c., in Cumberland county;

An act to prevent the sale of spirituous liquors, &c., in the town of Burksville, in Cumberland county;

An act to repeal an act, entitled "An act to amend the charter of the Bath and Montgomery County Associated Turnpike Road Company;"

An act to amend the charter of the Covington and DeCourcey Creek Turnpike Company;

An act to prohibit the sale or other disposition of spirituous, vinous, or malt liquors near Fox Creek Church, in Anderson county;

An act for the benefit of Enoch Creech, of Clay county;

An act to amend an act, entitled "An act to reduce the price of vacant lands in this Commonwealth," approved March 9th, 1854;

An act for the benefit of William Langdon, committee for Thos. Langdon, an idiot, in Pulaski county;

An act to enable the Louisville Pilots' Benevolent and Relief Association to wind up and discontinue its affairs;

An act for the benefit of the Pleasureville, Bethlehem, and Kentucky River Turnpike Company;

An act for the benefit of common schools in Kentucky;

An act to amend an act, entitled "An act to incorporate the St. Bernard Coal Company;"

An act to amend an act, entitled "An act to authorize the Lewis county court to levy a tax to create a bridge fund for Lewis county;"

An act to amend the charter of the town of Dixon, in Webster county;

An act to amend the charter of the Louisville and Salt River Turnpike Road Company;

An act to authorize the Hancock county court to increase the county levy for the year 1871;

An act to change the time of holding the November term of the Owen county court;

An act for the benefit of the jailer of Cumberland county;

An act authorizing the county court of Livingston county to levy an additional tax;

An act to change the time of holding the quarterly courts in Floyd county;

An act to amend the charter of the town of Gratz, in Owen county;

An act to amend an act, entitled "An act to incorporate the Covington and Horse Branch Turnpike Road Company;"

An act regulating the rate of freights and tolls on the Paris and North Middletown Turnpike Road;

An act to incorporate the Lancaster, Fall Lick, and Mt. Vernon Turnpike Road Company;

An act to incorporate the Mill Creek Turnpike Road Company, in Mason county;

An act to amend the charter of the Peak's Mill Turnpike Company;

An act to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road;

An act to incorporate the town of Providence, in Webster county;

An act to amend and reduce into one the several acts in relation to the town of Slaughterville, in Webster county;

An act to incorporate the town of Union, in the county of Boone;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the county of Floyd;

An act for the benefit of McCracken county, and to enable her to pay her indebtedness;

An act to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division;

An act to incorporate the Valley and West Point Bridge Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Connor—

1. A bill to amend and digest the act and amendatory acts incorporating the city of Paris.

On motion of Mr. Perrin—

2. A bill for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, of Harrison county.

On motion of Mr. Payne—

3. A bill to amend section 1, chapter 107, of Revised Statutes, making negroes competent witnesses as white persons.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Internal Improvement the 2d, and the Committee on Revised Statutes the 3d.

And then the Senate adjourned.

FRIDAY, FEBRUARY 17, 1871.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to amend section 521 of the Civil Code of Practice.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend section 345, title 9, chapter 2, article 1, of the Civil Code of Practice.

An act for the benefit of the county of Fleming.

An act to amend the charter of the town of Franklin.

And that they had passed bills and adopted a resolution of the following titles, viz:

1. An act to amend section 226, Civil Code, making duty of sheriff to copy attachments, &c., from other than his own county, in county clerk's office, &c.

2. An act to change the time of holding the Garrard quarterly courts.

3. An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, in Garrard county.

4. An act to amend section 1, article 22, of the Revised Statutes.

5. An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad Company," approved February 1, 1868.

6. An act to amend an act, entitled "An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company."

7. An act to amend sections 295 and 326, of the Civil Code of Practice, in civil cases.

8. An act to amend section 320, of the Civil Code of Practice.

9. An act to amend chapter 9 of title 10, of the Civil Code of Practice, entitled "Forceable Entry and Detainer."

10. An act to authorize Capital Lodge, No. 6, I. O. O. F., at Frankfort, to issue bonds.

11. An act to incorporate the Franklin Association.

12. Resolutions on the death of Hon. Daniel Breck.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, 7th, 8th, 9th, and 10th to the Committee on Revised Statutes and Codes of Practice; the 2d to the Committee on Courts of Justice; the 3d to the Committee on Religion and Morals; the 5th to the Committee on Railroads; the 6th to the Committee on Internal Improvement; the 11th to the Committee on Education, and the 12th to a select committee, consisting of Messrs. Carlisle, Webb, and Dorman.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to repeal the court of common pleas in the counties of Fulton, Hickman, Marshall, Ballard, and Graves, in the First Judicial District,

With an amendment to said bill and the title thereof, which it is proposed shall read,

An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the First Judicial District.

Which amendments were concurred in.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Hawes, from the Committee on Religion and Morals--

A bill for the benefit of inebriates and their relatives.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to require the clerk of the Green county court to index and cross-index certain deed books in Green county.

By same—

A bill to authorize the county court of Taylor county to sell a part of the court-house lot in Campbellsville, for certain purposes.

By Mr. Whitaker, from same committee—

A bill to amend the charter of the city of Augusta.

By Mr. Spalding, from the Committee on Finance—

A bill for the benefit of S. S. McFatridge, late sheriff of Mercer county.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, in Harrison county.

By same—

A bill to amend the charter of the Louisville and Jefferson County Association.

By Mr. Turner, from the Committee on the Judiciary—

A bill to create and regulate the office of county treasurer for McCracken county.

By same—

A bill for the benefit of Margaret Grief, of McCracken county.

By Mr. Carlisle, from same committee—

A bill to reduce into one the several acts in regard to the town of Somerset.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

A bill for the benefit of Richard Board, clerk of the Mercer circuit court.

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

A bill to amend the charter of the town of Catlettsburg.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act to change the time of holding the monthly sessions of the Bracken county court.

By same—

An act to regulate the time of holding circuit courts in the Thirteenth Judicial District.

By same—

An act to create the office of Superintendent of the Negro Paupers of Mercer county.

By Mr. Spalding, from the Committee on Finance—

An act for the benefit of J. S. Pitman and W. Frank Crawford, of Powell county.

By same—

An act for the benefit of James W. Hannah, of Elliott county.

By Mr. Burton, from same committee—

An act for the benefit of the present and future sheriffs of Bath county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the charter of the Alexandria and Flag Spring Turnpike Road Company, in Campbell county.

By same—

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company, and to authorize the same to issue bonds.

By same—

An act for the benefit of the Germantown and Bridgeville Turnpike Road Company, in Bracken county.

By same—

An act declaring lower Buffalo creek, in Owsley county, a navigable stream from its mouth to the mouth of the road fork of said creek.

By same—

An act to incorporate the Dixon and Clayville Turnpike and Gravel Road Company, in Webster county.

By same—

An act to incorporate the Jacksonville and Townsend Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to incorporate the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company."

By same—

An act to amend the charter of the Stanford and Milledgeville Turnpike Company.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to amend the charter of the city of Newport.

By same—

An act to amend the charter of the city of Newport.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to protect the manufacturers and bottlers of mineral water, ale, &c.

By Mr. Carlisle, from the Committee on the Judiciary—

An act for the benefit of the town of Tompkinsville, in Monroe county.

With an amendment to the last of said bills.

Which was twice read and adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Prichard—

1. A bill to amend the 2d and 3d sections of an act, entitled "An act to establish the 16th judicial district, and to regulate the holding of courts therein."

On motion of same—

2. A bill to attach the county of Martin to the 16th judicial district.

On motion of same—

3. A bill for the benefit of W. W. Montague, of Boyd county.

On motion of Mr. Tyler—

4. A bill to incorporate and endow Graves County Female Seminary.

On motion of Mr. Gardner—

5. A bill to attach parts of Elliott and Lee counties not now in the Thirty-fourth Senatorial District, to that district.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, and 5th; the Committee on Finance the 3d, and the Committee on Education the 4th.

The following petitions were presented, viz:

By Mr. John W. Johnson—

1. The petition of sundry commissioners of the Bowling Green, Hartford, and Ohio Railroad Company to amend the charter of said company.

By Mr. Prichard—

2. The petition of citizens of Boyd county, asking that the voters thereof be allowed to determine whether the sale of liquors may be licensed in said county.

By Mr. Webb—

3. The petition of physicians and surgeons of Louisville, asking certain amendments to the city charter.

By Mr. Tyler—

4. The petition of citizens of Graves county, asking the appointment of commissioners to dispose of certain funds derived from the sale of school lands, in building a female academy at Mayfield.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Railroads; the 2d to the Committee on Religion and Morals; the 3d to the Committee on Education, and the 4th to a select committee, consisting of Messrs. Webb, Standeford, and Cooke.

A message in writing was received from the Governor by Mr Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 17, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

Joseph B. Riggs, Logan county.
D. C. McGonigall, McCracken county.
Samuel. T. Hayes, Fayette county.
N. Cartmell, Union county.
A. T. Whitaker, Kenton county.
Ben. Selby, Henry county.
Humphrey Evans, Woodford county.
J. M. Bentz, Montgomery county.
F. B. Cromwell, Henderson county.
A. J. Dunn, Henderson county.
J. D. Harrington, Jefferson county.
Charles A. Gill, Jefferson county.
M. W. Larue, Jefferson county.
Junius Caldwell, Jefferson county.
John M. Vaughan, Jefferson county.
Joseph B. Read, Jefferson county.
J. Rowan Boone, Jefferson county.
W. O. Dodd, Jefferson county.
Alfred H. Peyton, Jefferson county.

P. M. Talbott, Fayette county.
John Kriel, Henderson county.
R. W. Neal, McCracken county.

Very respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

The Senate took up for consideration a bill, entitled

A bill to authorize and empower the McLean county court to levy an additional tax, and to issue county bonds to build a new court-house and new jail.

The vote by which the Senate passed said bill having been heretofore reconsidered,

On motion of Mr. J. W. Johnson, the votes by which said bill was ordered to a third reading, and said reading dispensed with, were also reconsidered.

And Mr. J. W. Johnson moved an amendment as a substitute for said bill.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to authorize and empower the county court of McLean county to levy an additional tax, and to issue county bonds to build a new court-house and jail, and for other purposes.

Mr. Whitaker, from the Committee on Banks and Insurance, to whom the same was referred, reported a resolution, which originated in the House of Representatives, entitled

Resolution requesting the Insurance Commissioner to make investigation of the affairs of certain insurance companies,

Reported the same, with the expression of opinion that said resolution should be concurred in.

Mr. Wm. Johnson moved amendments to said resolution, which were adopted.

The question being taken on concurring in the adoption of said resolution, as amended, it was decided in the affirmative.

Mr. Spalding, from the Committee on Finance, reported a bill, entitled

A bill for the benefit of Emma Wade, widow of Wm. M. Wade, deceased.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Vories,

Ordered, That the further consideration of said bill be postponed and made the special order of the day for Tuesday next, the 21st instant.

Mr. Burton, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

1. An act for the benefit of William O. Mize.

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 187!.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Holt),	Joseph Gardner,	E. D. Standeford,
A. K. Bradley,	J. B. Hayden,	Oscar Turner,
R. A. Burton,	Wm. Johnson,	H. A. Tyler,
Jno. G. Carlisle,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	Lewis Perrin,	Ben. J. Webb,
John B. Clarke,	K. F. Prichard,	Emery Whitaker,
Harrison Cockrill,	I. A. Spalding,	Thos. Wrightson—22.
W. McKee Fox,		

Those who voted in the negative, were—

Edwin Hawes, I. C. Winfrey—2.

Resolved, That the title of said bill be as aforesaid.

On motion, Mr. Allison was added to the Committee on Enrollments.

Mr. Spalding, from the Committee on Finance, to whom had been referred the amendments proposed by the House of Representatives to a bill from the Senate, entitled

An act for the benefit of James M. Bullock, of Laurel county,

Reported the same with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wm. Johnson, from the Committee on Courts of Justice, to whom was recommitted a bill from the House of Representatives, entitled

A bill repealing section 2, article 1, of chapter 50, of Revised Statutes,

Reported the same with an amendment thereto as a substitute therefor.

Which amendment was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act amending section 2, article 1, chapter 50, of the Revised Statutes.

Mr. Turner, from the Committee on the Judiciary, reported a bill, entitled

A bill to amend the charter of the Paducah and Gulf Railroad Company.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed until to-morrow morning at 10½ o'clock.

Mr. Wrightson read and laid on the table a joint resolution in regard to general amnesty.

The rule of the Senate being dispensed with, said resolution was taken up and referred to the Committee on Federal Relations.

On motion, leave of indefinite absence was granted to Messrs. Dorman, Chelf, Payne, Winfrey, and Bradley.

And then the Senate adjourned.

SATURDAY, FEBRUARY 18, 1871.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the Deaf and Dumb Asylum at Danville.

An act for the benefit of the Kentucky Eastern Lunatic Asylum.

And that they had passed a bill, entitled

An act to amend title 10, chapter 4, section 467, of the Civil Code of Practice.

Which bill was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Revised Statutes and Codes of Practice.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown, in Hardin county," approved February 26, 1858.

An act to amend the charter of the town of Danville.

An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854.

An act for the benefit of John R. Sampson.

Mr. Whitaker, from the Committee on Banks and Insurance, to whom was recommitted a bill, entitled

A bill to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department,

Reported the same with amendments.

Which were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the charter of the Paducah and Gulf Railroad Company.

Mr. Tyler moved an amendment thereto.

On motion,

Ordered, That said bill and proposed amendment be printed, and the further consideration thereof postponed to Wednesday next, February 22d.

On motion, leave of indefinite absence was granted to Messrs. Perrin and Talbott.

On motion of Mr. McAfee, a message was sent to the House of Representatives, to ask leave to withdraw therefrom the announcement of the Senate's concurrence in a resolution, which originated in the House of Representatives, entitled

Resolution fixing day for final adjournment.

After a short time, said resolution was handed in at the Clerk's desk.

Mr. McAfee then moved to reconsider the vote by which the Senate had concurred in the adoption of said resolution.

Which motion was entered only.

Mr. Vallandingham read and laid on the table a joint resolution in relation to claims against the United States Government, for tolls on Green and Barren rivers.

The rule of the Senate being dispensed with, said resolution was taken up and referred to the Committee on the Judiciary.

Mr. Webb, from the Committee on Agriculture and Manufacture, to whom was referred leave to bring in a bill, entitled

A bill to incorporate the Kentucky Statesman Printing Company,

Asked that said committee be discharged from the further consideration thereof, and that it be referred to the Committee on the Judiciary.

Which was granted, and said leave so referred.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

1. A bill for the benefit of Kentucky Farmers' Mutual Insurance Company.

By Mr. Whitaker, from the Committee on Education—

2. A bill to amend an act incorporating the Vanceburg Male and Female Academy.

By Mr. Carlisle, from the Committee on the Judiciary—

3. A bill to reduce into one, amend, and digest the acts, and amendatory acts, incorporating the city of Paris.

By same—

4. A bill to amend the charter of the city of Ludlow.

By same—

5. A bill to attach the county of Martin to the Sixteenth Judicial District.

By same—

6. A bill to amend the 2d and 3d sections of an act, entitled "An act to establish the Sixteenth Judicial District, approved February 18, 1868, and to regulate the time for holding the circuit courts therein."

By Mr. J. W. Johnson, from the Committee on Religion and Morals—

7. A bill to prohibit the sale of intoxicating liquors in Sonora, in Hardin county.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

8. A bill for the benefit of R. B. McCall, administrator of J. H. Rily, deceased.

By Mr. Vallandingham, from the Committee on Charitable Institutions—

9. A bill to incorporate the Kentucky Mutual Benefit Association of Physicians.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 9th to the Committee on Banks and Insurance; and the 1st, 2d, 3d, 4th, 5th, 6th, 7th, and 8th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

An act to regulate the making of deeds in the Louisville chancery court.

By same—

An act authorizing the trustees of the town of Shepherdsville to take stock in the Paroquet Springs Company.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act to change the time of holding the Garrard quarterly courts.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act for the benefit of Nazareth Literary and Benevolent Institute and the Catholic congregation of Frankfort.

By Mr. Wrightson, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company."

By Mr. Tyler, from the Committee on the Sinking Fund—

An act to amend an act, entitled "An act creating a sinking fund for Montgomery county," approved March 10th, 1856.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Prichard, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend section 345, title 9, chapter 2, article 1, of the Civil Code of Practice;

An act to incorporate the Caverna Deposit Bank;

An act for the benefit of C. C. Harbin, jailer of Laurel county;

An act for the benefit of the county of Fleming;

An act to amend the charter of the town of Franklin;

And an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Cynthiana;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Prichard reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. J. W. Johnson—

1. A bill for the benefit of Morgantown, Butler county.

On motion of same—

2. A bill for the benefit of Butler county.

On motion of Mr. Boyd—

3. A bill for the benefit of James L. Joplin, of Rockcastle county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on the Judiciary the 2d; and the Committee on the Revised Statutes and Codes of Practice the 3d.

Mr. Tyler, from the Committee on the Sinkihg Fund, to whom had been referred a bill from the House of Representatives, entitled

An act in relation to the sinking fund of Clark county,

Reported the same without amendment.

Mr. Vories moved an amendment to said bill, which was adopted.

On motion of Mr. McAfee,

Ordered, That said bill be laid upon the table.

The Speaker laid before the Senate the communication of the Auditor and accompanying statement, made in response to the resolution directing him to report amount of indebtedness of counties, districts, cities, and towns, incurred in construction of railroads.

Which was read as follows, viz:

Office Auditor Public Accounts,
Frankfort, February 18, 1871.

Hon. G. A. C. Holt, *Speaker of Senate:*

Sir: In response to the resolution adopted in the Senate on the 23d ult., calling on me "to ascertain the amount of indebtedness of each county, district, city, and town in the State of Kentucky, incurred for the construction of railroads, and in aid of what roads incurred," I have the honor to submit the annexed tabular statement, containing all the information I have been able to obtain on the subject embraced in said resolution.

The counties left blank in the tabular statement are those from which no information was obtained.

Very respectfully, your obedient servant,
D. H. SMITH, *Auditor.*

TABLE.

Name of County, Town, &c.	Amount of Debt.	For what purpose incurred.
Adair	No debt.	
Allen	$300,000 00	Cumberland and Ohio R. R. (conditional.)
Anderson (voted)	150,000 00	To Shelbyville Railroad.
Barren	No debt.	
Town of Glasgow	25,000 00	Glasgow Branch Railroad.
Dist. No. 1—Glasgow Dist.	100,000 00	Glasgow Branch Railroad.
Bath	136,000 00	Lexington and Big Sandy Railroad.
Ballard	No debt.	
Bourbon	94,000 00	[Covington Railroad.
	133,333 00	Maysville & Lexington & Lexington &
	84,000 00	Maysville and Lexington Railroad.
Boyle		Lexington and Danville Railroad.
Boone	No debt.	
Boyd	No report.	
Bracken	No debt.	
Breathitt	No report.	
Breckinridge	No debt.	
Bullitt	No debt.	
Butler	No debt.	
Caldwell	398,000 00	Elizabethtown and Paducah Railroad.
Campbell	No debt.	
Calloway	No debt.	
Carter	No report.	
Casey	No debt.	
Christian	200,000 00	Evansville, Henderson & Nashville R. R.
City of Hopkinsville	25,000 00	Evansville, Henderson & Nashville R. R.
Carroll	No debt.	
Clay	No report.	
Clark	149,000 00	Lexington and Big Sandy Railroad.
Clinton	No debt.	
Crittenden	No report.	[no further steps taken.)
Cumberland (voted)	300,000 00	To Danville and McMinnville R. R. (and
Daviess	307,350 00	Owensboro and Russellville Railroad.
City of Owensboro	75,000 00	Owensboro and Russellville Railroad.
Edmonson	No report.	
Estill	No debt.	
Elliott	No report.	
Fayette	132,000 00	Covington and Lexington Railroad.
	134,000 00	Lexington and Danville Railroad.
	124,000 00	Maysville and Lexington Railroad.
City of Lexington	99,000 00	Lexington and Big Sandy Railroad.
Fleming	No debt.	
Floyd	No debt.	
Fulton	No debt.	
City of Hickman	27,000 00	Nashville and Northwestern Railroad.
Franklin	No debt.	
Gallatin	No debt.	
Garrard	317,000 00	[Nashville Railroad.
Grant	No debt.	Richmond Branch of Louisville and
Graves	No debt.	
Grayson	200,000 00	Elizabethtown and Paducah Railroad.
Green	250,000 00	Cumberland and Ohio Railroad (no bonds
Greenup	No debt.	[issued yet.)
Hancock	No debt.	
Hardin	200,000 00	Louisville and Nashville Railroad.
Elizabethtown	75,000 00	Louisville and Nashville Railroad.
Harlan	No report.	
Harrison	No report.	
Amount carried forward	$4,034,683 00	

TABLE—Continued.

Name of County, Town, &c.	Amount of Debt.	For what purpose incurred.
Amount brought forward	$4,034,683 00	
Hart	75,000 00	Louisville and Nashville Railroad.
Henderson	No debt.	
City of Henderson	300,000 00	Evansville, Henderson & Nashville R. R.
Henry	No report.	
Hickman	No report.	
Hopkins	150,000 00	Evansville, Henderson & Nashville R. R.
Nebo District	15,000 00	Mad'ville & Shaw'town Straight-Line R.
Town of Madisonville	25,000 00	Mad'ville & Shaw'town Straight-Line R.
Jackson	No report.	
Jefferson	No debt.	
Jessamine	No debt.	
Johnson	No report.	
Josh Bell	No debt.	
Kenton	No debt.	
City of Covington	470,000 00	Covington and Lexington R. R.
Knox	No debt.	
Larue	No debt.	
Laurel	No debt.	
Lawrence	No debt.	
Lee	No debt.	
Letcher	No report.	
Lewis	No debt.	
Lincoln	No debt.	
Livingston	No debt.	
Logan	236,400 00	Louisville and Nashville Railroad.
Logan (subscribed)	500,000 00	O'boro & R'ville R. R. (bonds not issued.)
Lyon	200,000 00	Elizabethtown and Paducah Railroad.
Madison	400,000 00	Richmond Branch Lou. & Nash. Railroad.
Magoffin	No report.	
Marion	50,000 00	Louisville and Nashville Railroad.
Marion (subscribed)	300,000 00	C. and Ohio R. R. (to be paid in bonds.)
Precinct of Lebanon	50,000 00	C. and Ohio R. R. (to be paid in bonds.)
Marshall	No debt.	
Martin	No report.	
Mason	85,000 00	Maysville and Lex. R. R., N. Division.
Mason	120,000 00	Mays. & Lex. & Mays. & Big Sandy R. R.
City of Maysville	120,000 00	Mays. & Lex. & Mays. & Big Sandy R. R.
McCracken	100,000 00	New Orleans and Ohio Railroad.
McCracken	500,000 00	Elizabethtown and Paducah Railroad.
City of Paducah	200,000 00	New Orleans and Ohio Railroad.
McLean	No debt.	
Precinct No. 3, Livermore.	50,000 00	Owensboro and Russellville Railroad.
Precinct No. 6, K. Chapel.	15,000 00	Owensboro and Russellville Railroad.
Meade	No debt.	
Mercer	300,000 00	Louisville, Harrodsburg & Virginia R. R. (subscription.)
Metcalfe	No debt.	
Monroe	No debt.	
Menifee	No debt.	
Montgomery	200,000 00	Lexington and Big Sandy Railroad.
Morgan	No report.	
Muhlenburg	400,000 00	Elizabethtown and Paducah Railroad.
Nelson	No debt.	
Precincts Nos. 1, 5, and 9.	60,000 00	Bardstown and Louisville Railroad.
Nicholas	30,000 00	Maysville & Lexington R. R., N. Division.
Town of Carlisle	15,000 00	Maysville & Lexington R. R., N. Division.
Ohio	No debt.	
Amount carried forward	$9,001,083 00	

TABLE—Continued.

Name of County, Town, &c.	Amount of Debt.	For what purpose incurred.
Amount brought forward	$9,001,083 00	
Oldham	No debt.	
Owen	No debt.	
Owsley	No debt.	
Pendleton	70,000 00	Covington and Lexington Railroad.
Perry	No report.	
Pike	No report.	
Powell	No debt.	
Pulaski	No debt.	
Rockcastle	No debt.	
Rowan	No report.	
Russell	No report.	
Robertson	No debt.	
Scott	No report.	
Shelby	400,000 00	Cumberland and Ohio Railroad.
Shelby (Shelby R. R. Dist.)	300,000 00	Shelbyville Railroad.
Simpson	26,000 00	Louisville and Nashville Railroad.
Spencer	250,000 00	Cumberland and Ohio Railroad.
Taylor	250,000 00	Cumberland & Ohio R. R. (subscription.)
Todd (voted 1869)	400,000 00	O'boro & Guthrie (no other steps taken.)
Dist. No. 3, Trenton Prec't.	4,000 00	Evansville, Henderson & Nashville R. R.
Trigg	No debt.	
Trimble	No debt.	
Union	No debt.	
Warren	142,900 00	Louisville and Nashville Railroad.
Washington	400,000 00	Cumberland & Ohio R. R. (conditional.)
Wayne	No debt.	
Webster	No debt.	
Providence District, No. 6	30,000 00	Shaw'town & Mad'ville Straight-Line R.
Clayville District, No. 5	35,000 00	Shaw'town & Mad'ville Straight-Line R.
Whitley	No report.	
Wolfe	No debt.	
Woodford	No debt.	
City of Louisville	167,000 00	Jeffersonville Railroad.
City of Louisville	1,310,000 00	Louisville and Nashville Railroad.
City of Louisville	1,000,000 00	Eminence and Paducah Railroad.
City of Louisville	558,000 00	Lebanon Branch Railroad.
City of Louisville	90,000 00	Shelby Branch Railroad.
City of Louisville	500,000 00	St. Louis Air-Line Railroad (bonds not [issued.)
Total	$14,933,983 00	

RECAPITULATION.

Bardstown and Louisville Railroad	$60,000 00
Cumberland and Ohio Railroad	2,200,000 00
Covington and Lexington Railroad	672,000 00
Danville and McMinnville Railroad	300,000 00
Evansville, Henderson, and Nashville Railroad	679,000 00
Elizabethtown and Paducah Railroad	2,698,000 00
Glasgow Branch Railroad	125,000 00
Jeffersonville Railroad	167,000 00
Louisville, Harrodsburg, and Virginia Railroad	300,000 00
Louisville and Nashville Railroad	2,115,300 00
Lebanon Branch Railroad	558,000 00
Lexington and Big Sandy Railroad	584,000 00
Lexington and Danville Railroad	218,000 00
Maysville and Lexington and Lexington and Covington Railroad	94,000 00
Maysville and Lexington Railroad	387,333 00
Maysville and Lexington and Maysville Sandy Railroad	240,000 00
Madisonville and Shawneetown Straight-Line Railroad	105,000 00
Nashville and Northwestern Railroad	27,000 00
New Orleans and Ohio Railroad	300,000 00
Owensboro and Guthrie Railroad	400,000 00
Owensboro and Russellville Railroad	947,350 00
Richmond Branch Railroad	717,000 00
St. Louis Air-Line Railroad	500,000 00
Shelbyville Railroad	540,000 00
Total	$14,933,983 00

Attest: D. HOWARD SMITH, *Auditor.*

Mr. Carlisle offered the following resolution relative thereto, viz:

Resolved, That the Public Printer be, and he is hereby, directed to print, envelop, and stamp, for distribution by the members of the Senate, thirty-eight hundred copies of the report made to the Senate by the Auditor in response to the resolution calling for information in relation to the indebtedness of the counties, cities, and towns in this Commonwealth; and that he also furnish, without envelopes or stamps, two hundred copies of said response for the use of the Senate and House of Representatives.

Which was adopted.

Mr. Turner moved that the vote be reconsidered by which the Senate had, on yesterday, concurred in an amendment proposed by the House of Representatives to a bill and its title, which originated in the Senate, entitled

An act to repeal the court of common pleas in the counties of Fulton, Hickman, Marshall, Ballard, and Graves.

The question being taken on said motion, it was decided in the affirmative.

And then the Senate adjourned.

MONDAY, FEBRUARY 20, 1871.

A message was received from the House of Representatives, announcing that they had concurred in an amendment proposed by the Senate, to a bill from the House of Representatives, entitled

An act for the benefit of the town of Tompkinsville, in Monroe county.

Also a message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Union, in the county of Boone.

An act to incorporate the town of Providence, in Webster county.

An act prohibiting the sale of spirituous liquors, &c., in Cumberland county.

An act to authorize the city of Maysville to subscribe and pay for stock in the Maysville and Lexington Railroad Company, Northern Division.

An act to authorize the Garrard circuit court to direct a sale of the Lancaster and Crab Orchard Turnpike Road.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the county of Floyd.

An act to amend the charter of the town of Gratz, in Owen county.

An act to amend an act, entitled "An act to incorporate the Covington and Horse Branch Turnpike Road Company."

An act for the benefit of McCracken county, and to enable her to pay her indebtedness.

An act to incorporate the Valley and West Point Bridge Company.

An act to amend chapter seven of the Revised Statutes, title "Boats and Navigation."

An act to amend the charter of the town of Dixon, in Webster county.

An act to amend the charter of the Peak's Mill Turnpike Company.

An act to incorporate the Mill Creek Turnpike Road Company, in Mason county.

An act for the benefit of common schools in Kentucky.

An act to amend the charter of the Covington and DeCourcey Creek Turnpike Company.

An act to prevent the sale of spirituous liquors, &c., in the town of Burksville, in Cumberland county.

An act to amend an act, entitled "An act to reduce the price of vacant lands in this Commonwealth," approved March 9th, 1854.

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro Turnpike Road Company."

An act for the benefit of Enoch Creech, of Clay county.

An act for the benefit of William Langdon, committee for Thos. Langdon, an idiot, in Pulaski county.

An act to prohibit the sale or other disposition of spirituous, vinous, or malt liquors near Fox Creek Church, in Anderson county.

An act for the benefit of the jailer of Cumberland county.

An act for the benefit of the Pleasureville, Bethlehem, and Kentucky River Turnpike Company.

An act to repeal an act, entitled "An act to amend the charter of the Bath and Montgomery County Associated Turnpike Road Company."

An act for the benefit of John P. Norvall, of Nicholas county.

An act for the benefit of W. L. Fitch, of Lewis county.

An act to amend an act, entitled "An act to authorize the Lewis county court to levy a tax to create a bridge fund for Lewis county."

An act to amend an act, entitled "An act to incorporate the St. Bernard Coal Company."

An act to change the time of holding the quarterly courts in Floyd county.

An act authorizing the county court of Livingston county to levy an additional tax.

An act regulating the rate of freights and tolls on the Paris and North Middletown Turnpike Road.

An act to change the time of holding the November term of the Owen county court.

An act to enable the Louisville Pilots' Benevolent and Relief Association to wind up and discontinue its affairs.

An act to authorize the Hancock county court to increase the county levy for the year 1871.

An act for the benefit of Philip Cassity, present sheriff of Martin county.

An act for the benefit of E. P. Graves, of Fayette county.

An act for the benefit of T. M. Conditt, late sheriff of McLean county.

An act to incorporate the Lancaster, Fall Lick, and Mt. Vernon Turnpike Road Company.

An act to amend the charter of the Louisville and Salt River Turnpike Road Company.

And that they had passed a bill, which originated in the Senate, entitled

An act to incorporate the Kentucky Central Railroad Company,

With amendments thereto.

Which were referred to the Committee on Railroads.

A message was also received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to change the time of holding the circuit courts in the 1st judicial district, and providing for the change of cases to court of common pleas in certain cases,

With an amendment thereto.

Which was taken up, twice read, and concurred in.

Mr. Boyd presented the petition of sundry citizens of the county of Josh Bell, praying the passage of a law prohibiting the sale of ardent spirits in said county.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Mr. John W. Johnson, from the Committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled

An act to create an additional magistrates' district and voting precinct in Christian county.

Offered to report the same without amendment.

Whereupon, the Speaker announced that, under the rule of the Senate, No. 81, it was not in order to entertain said bill.

So said bill was not considered.

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to repeal the court of common pleas in the counties of Fulton, Hickman, Marshall, Ballard, and Graves, in the First Judicial District.

The vote by which the Senate had concurred in said amendment having been heretofore reconsidered,

The question was again taken on concurring in the adoption of said amendments, and it was decided in the affirmative.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of James M. Bullock, of Laurel county;

An act for the benefit of the Deaf and Dumb Asylum at Danville;

An act for the benefit of the Kentucky Eastern Lunatic Asylum;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of William O. Mize ;

An act to create the office of Superintendent of the Negro Paupers of Mercer county;

An act for the benefit of James W. Hannah, of Elliott county;

An act to amend the charter of the Alexandria and Flag Spring Turnpike Road Company, in Campbell county;

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company, and to authorize the same to issue bonds;

An act for the benefit of the Germantown and Bridgeville Turnpike Road Company, in Bracken county;

An act for the benefit of J. S. Pitman and W. Frank Crawford, of Powell county;

An act declaring Lower Buffalo creek, in Owsley county, a navigable stream from its mouth to the mouth of the Road Fork of said creek;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend section 345, title 9, chapter 2, article 1, of the Civil Code of Practice.

An act to amend the charter of the town of Franklin.

An act for the benefit of the county of Fleming.

An act for the benefit of C. C. Harbin, jailer of Laurel county.

An act to incorporate the Caverna Deposit Bank.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Tyler, from the Committee on Courts of Justice—

1. A bill to repeal an act, entitled "An act to re-enact an act, entitled 'An act regulating the time of holding the circuit courts,'" approved March 5th, 1856, approved February 25th, 1870.

By Mr. Spalding, from the Committee on Finance—

2. A bill for the benefit of W. W. Montague.

By Mr. Turner, from the Committee on the Judiciary—

3. A bill to repeal sections 2, 3, and 4, of chapter 105, title "Weights and Measures," of the Revised Statutes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 3d was recommitted to the Committee on the Judiciary, and the 1st and 2d were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Prichard—

1. A bill to incorporate the Boyd County Turnpike Company.

On motion of same—

2. A bill to incorporate the Catlettsburg Cemetery Company.

On motion of Mr. Fox—

3. A bill to amend the charter of Shelby City, in Boyle county.

On motion of Mr. McAfee—

4. A bill to incorporate the Edgeworth Institute of Learning, in the city of Lexington.

On motion of Mr. Spalding—

5. A bill to provide for payment of military claims audited by the Quarter-Master General.

On motion of same—

6. A bill in relation to suits brought by and against foreign corporations doing business in this State.

On motion of Mr. Gardner—

7. A bill for the benefit of H. Brewer and others, sureties of Thos. Cook, late sheriff of Clay county.

On motion of Mr. Vallandingham—

8. A bill for the benefit of G. H. Millipen, late clerk of the circuit and county courts of Simpson county.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Courts of Justice the 2d and 8th; the Committee on the Judiciary the 3d; the Committee on Education the 4th; the Committee on the Revised Statutes the 5th and 6th; and the Committee on Finance the 7th.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to prevent the destruction of fish in the South Fork of Licking river and its tributaries.

Mr. Wm. Johnson moved an amendment thereto.

Which was adopted.

On motion,

Ordered, That said bill and amendment be placed in the orders of the day.

The Senate took up for consideration bills from the House of Representatives, of the following titles, viz:

An act for the benefit of the various cheese manufactories of this State.

An act to amend an act, entitled "An act to incorporate the United States Steam Gauge Company."

An act authorizing the county court of Hardin county to levy a tax for road purposes.

With an amendment pending to the last named bill.

On motion,

Ordered, That said bills be laid upon the table.

The Senate took up for consideration a resolution from the House of Representatives, entitled

Resolution of instruction to certain committees of Senate and House of Representatives, with regard to supplying deficit in Sinking Fund.

Which was read as follows, viz:

WHEREAS, It appears from the Auditor's Report of the year 1869, that, on the 10th day of October, 1858, there was a deficit of twenty-two thousand four hundred and forty-five dollars and forty-four cents in the revenue ordinary of the State, which deficit has yearly increased till the present time (except in the year 1859); which deficits have been supplied, from time to time, by loans from the Sinking Fund; and, as it is expedient that such advances should be returned to the Sinking Fund, therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Committee on Finance of the Senate, and the Committee on Ways and Means of the House, be instructed to hold a joint session as soon as convenient, and prepare and report a bill with the view of supplying said deficit, and with the further view of preventing any future deficits.

The question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	W. McKee Fox,	I. A. Spalding,
R. A. Burton,	Joseph Gardner,	A. C. Vallandingham
Harrison Cockrill,	William Johnson,	W. L. Vories,
G. W. Connor,	K. F. Prichard,	Emery Whitaker—12.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	H. A. Tyler,
F. M. Allison,	John W. Johnson,	Ben. J. Webb—8.
A. K. Bradley,	Oscar Turner,	

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend section 367 of the Civil Code of Practice.

On motion of Mr. Spalding,

Ordered, That said bill be recommitted to the Committee on Revised Statutes and Codes of Practice.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend section 2, article 1, of chapter 48, Revised Statutes, title "Idiots and Lunatics."

Mr. Wm. Johnson moved amendments thereto.

Which were adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Prichard offered the following resolution, viz:

Resolved, That a committee of three be appointed to ascertain and report to the Senate the probable cost of the building of the warehouse or warehouses recommended by the joint committee on the Penitentiary to the General Assembly.

Which was adopted.

And Messrs. Webb, Tyler, and Vories were appointed said committee.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend section 636, subdivision 3, of article 2, chapter 3, of Civil Code of Practice.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act relative to persons holding State titles within military, treasury warrant, and other surveys, and which have been lost by such superior titles.

With the amendment proposed thereto by Mr. Prichard, and heretofore adopted.

Mr. Turner moved to reconsider the vote by which said amendment was adopted.

Which motion was entered only.

Ordered, That the further consideration of said bill be postponed until Thursday next.

On motion of Mr. Allison,

Ordered, That a committee be appointed, to act in conjunction with a similar committee to be appointed on the part of the House of

Representatives, whose duty it shall be to withdraw from the Governor a bill, which originated in the House of Representative, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870.

Whereupon Messrs. Allison, Spalding, and Connor were appointed said committee.

Ordered, That said committee inform the House, and request the appointment of the committee referred to.

The Senate took up for consideration a bill, entitled

A bill regulating corporations created by the laws of Kentucky.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

TUESDAY, FEBRUARY 21, 1871.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz :

An act to amend the charter of the Blue Lick Turnpike Road Company.

An act for the benefit of Richard Board, clerk of the Mercer circuit court.

Also a message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Cynthiana.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Lafayette and New Providence Turnpike Road Company.

2. An act to amend the charter of the town of Bowling Green.

3. An act to provide for the payment of grand and petit jurors of Mercer circuit court, at November term, 1870.

4. An act for the benefit of M. C. Hughes, late sheriff of Gallatin county.

5. An act to amend the charter of the Old State Road and Ripple Creek Turnpike Company.

6 An act to amend the act to incorporate the town of Belleview, in Campbell county.

7. An act to amend the charter of the city of Dayton, in Campbell county, and for other purposes.

8. An act to define and extend the corporate limits of the city of Dayton, in Campbell county.

9. An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

10. An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company.

11. An act to authorize the city of Dayton, in Campbell county, to establish common school system.

12. An act for the benefit of John A. Wilson, clerk of the Fulton county court.

13. An act to abolish the July term of the Mercer circuit court.

14. An act to legalize second day's business of Mercer circuit court, November term, 1870.

15. An act to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county.

16. An act to prohibit stock from running at large in the town of Booneville, Owsley county, or within one half mile thereof.

17. An act changing the boundary line between the counties of Laurel and Rockcastle.

18. An act to except Clark county from the provisions of an act, entitled "An act in relation to submitting questions of taxation to a vote of the people."

19. An act for the benefit of Nicholas county.

20. An act for the benefit of E. B. Treadway, former sheriff of Owsley county.

21. An act for the benefit of Asa Gilbert, former sheriff of Clay county, and to allow him to appoint a deputy for certain purposes.

22. An act for the benefit of Nicholas Moon, of Lewis county.

23. An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county.

24. An act for the benefit of Granville Evans, of Wolfe county.

25. An act for the benefit of the citizens of Boston, in Whitley county.

26. An act to change the boundary lines between the counties of Ohio and Butler.

27. An act to amend an act, entitled "An act to alter and amend the road law in Livingston county."

28. An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854.

29. An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, so far as it applies to Rhodes creek, in Daviess county."

30. An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, in Butler county, and within one half mile of the corporate limits of said town.

31. An act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

32. An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Mt. Washington, Bullitt county.

33. An act to repeal an act, entitled "An act for the benefit of Rockcastle county in relation to roads and passways."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th, 10th, 15th, 23d, 27th, and 31st to the Committee on Internal Improvement; the 2d, 6th, 7th, 8th, 9th, and 28th to the Committee on the Judiciary; the 3d, 13th, 14th, 19th, and 33d to the Committee on Courts of Justice; the 4th, 12th, 18th, 20th, 21st, 22d, and 24th to the Committee on Finance; the 11th to the Committee on Education; the 16th to the Committee on Agriculture and Manufactures; the 17th, 25th, 26th, and 29th to the Committee on Propositions and Grievances; and the 30th and 32d to the Committee on Religion and Morals.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill fixing the time when the railroad taxes shall be paid over to the Commissioners of the Sinking Fund, in Boyle county.

On motion of Mr. Boyd—

2. A bill declaring a portion of Round Stone Creek, in Rockcastle county, a navigable stream.

On motion of Mr. Prichard—

3. A bill to amend section 5 of an act, entitled "An act to amend the revenue laws," approved February 2, 1866.

On motion of Mr. Connor—

4. A bill for the benefit of Big Spring Republican Church and Cemetery, in Bath county.

On motion of same—

5. A bill concerning the advertisement of sheriffs' and commissioners sales of land in Bath county.

On motion of Mr. Tyler—

6. A bill to amend the charter of the town of Mayfield, in Graves county.

On motion of Mr. Perrin—

7. A bill to protect the sheep of Harrison county.

On motion of Mr. Dorman—

8. A bill to incorporate the town of Sanders, in Gallatin county.

On motion of same—

9. A bill to amend the charter of the Owenton and Clay Lick Turnpike Road Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d; the Committee on Courts of Justice the 3d, 5th, and 8th; the Committee on Religion and Morals the 4th and 6th; the Committee on Agriculture and Manufactures the 7th, and the Committee on Internal Improvement the 9th.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Kentucky and Tennessee Railroad Company;

An act to incorporate the town of Sebree City, in Webster county;

An act to amend an act, entitled "An act to incorporate the town of Concordia;"

An act to incorporate the Dixon and Clayville Turnpike and Gravel Road Company, in Webster county;

An act to incorporate the Jacksonville and Townsend Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company;"

An act for the benefit of the present and future sheriffs of Bath county;

An act to regulate the time of holding circuit courts in the Tenth Judicial District;

An act to change the time of holding the monthly sessions of the Bracken county court;

An act to amend the charter of the city of Newport;

An act to amend the charter of the city of Newport;

An act to protect the manufacturers and bottlers of mineral water, ale, &c.;

An act to amend the charter of the Stanford and Milledgeville Turnpike Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature

thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

The following petitions were presented, viz:

By Mr. Standeford—

1. The petition of numerous citizens of Jefferson county, asking the enactment of a law to prevent the destruction of birds in said county.

By Mr. Hayden—

2. The petition of numerous citizens of Elizabethtown, asking the passage of an act requiring railway trains to run at less speed and with better signals through said town.

By Mr. Tyler—

3. The petition of citizens of Mayfield, asking the passage of an act imposing a tax upon all persons who sell liquor in said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures; the 2d to the Committee on Courts of Justice, and the 3d to the Committee on Religion and Morals.

The committee appointed to withdraw from the Governor a bill, which originated in the House of Representatives, and had passed both Houses of the General Assembly, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5th, 1870,

Handed said bill in at the Clerk's desk.

On motion of Mr. Allison, a message was sent to the House of Representatives, to ask leave to withdraw the announcement of the Senate's passage of said bill.

A message was then received from the House of Representatives, asking leave to withdraw the announcement of their passage of said bill.

Which was granted, and said bill delivered to the messenger.

Mr. Prichard, from the Committee on Railroads, to whom were referred the amendments proposed by the House of Representatives, to a bill, which originated the Senate, entitled

An act to incorporate the Kentucky Central Railroad Company,

Reported the same, with the expression of opinion that said amendments should be concurred in.

On motion of Mr. Talbott,

Ordered, That said amendments be recommitted to the Committee on Railroads, with instructions to report to-morrow.

The Senate, according to order, took up for consideration an engrossed bill, entitled

An act for the benefit of Emma Wade, widow of Wm. M. Wade, deceased.

Which was read as follows, viz:

WHEREAS, Eleven slaves were committed to the Oldham county jail as runaways in the years 1862 and 1863, and were, by order of the county court for said county, sold as runaways, and the purchasers of said slaves were deprived of said slaves by the military authorities of the United States, and by reason thereof have been relieved of the payment for said slaves; and whereas, William M. Wade, late jailer of said county, was allowed by said county court, as his fees for keeping said slaves, one thousand and ten dollars, which, by the law, would have been paid out of the price of said slaves, but was not, and has not been, by reason of the said money not having been collected; and whereas, said Wade is dead, and Emma Wade is his widow; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and is hereby, directed to draw his warrant on the Treasurer for one thousand and ten dollars in favor of Emma Wade, widow of William M. Wade, in full of the allowance named in the above preamble; the aforesaid sum to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. B. Hayden,	I. A. Spalding,
F. M. Allison,	Wm. Johnson,	E. D. Standeford,
R. A. Burton,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
Harrison Cockrill,	Lewis Perrin,	Emery Whitaker—17
Joseph Gardner,	K. F. Prichard,	

Those who voted in the negative, were—

Robert Boyd,	Edwin Hawes,	H. A. Tyler,
John G. Carlisle,	A. G. Talbott,	A. C. Vallandingham,
G. W. Connor,	Oscar Turner,	Thos. Wrightson—10.
J. H. Dorman,		

So said bill was rejected.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5th, 1870.

Which was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Spalding moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Whitaker, from the Committee on Banks and Insurance—

A bill to amend the charter of the Deposit Bank of Eminence.

By Mr. Chenoweth, from the Committee on Internal Improvement—

A bill to amend the charter of the Danville and Pleasant Hill Turnpike Road Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5, 1870.

The Senate, according to order, took up for consideration a bill, entitled

A bill concerning the Adjutant General,

With the pending amendment proposed by Mr. Hawes.

On motion of Mr. Spalding,

Ordered, That said bill, with the proposed amendment, be recommitted to the Committee on Military Affairs.

The Senate took up for consideration the disagreement of the House of Representatives to an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws of this State.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor be directed, by and with the advice and consent of the Senate, to appoint three (3) commissioners to revise the statute laws of Kentucky; and it shall be the duty of said commissioners, within thirty days after their appointment as such, to proceed to the city of Frankfort, and there commence and conclude the labors imposed by this act.

§ 2. It shall be the duty of said commissioners to revise, digest, and make a compilation of existing laws; to strike out all statutes which may have become obsolete, or shall have been repealed; to report to the General Assembly for its action such laws bearing upon the same subject as may be in force, which may seem to be contradictory or repugnant to each other; to amend and reduce into one existing laws, and reconcile such as may be in conflict, and to make such modifications and changes of the laws as in their judgment may be for the public interest.

§ 3. The work, when completed, shall be reported to the General Assembly for its approval or rejection; and if accepted, the same shall be the property of the State, and under the control of the Legislature.

§ 4. That, upon the filing of a certificate by either of the commissioners appointed under this act with the Auditor of Public Accounts, setting forth the number of days he has been actually engaged on said work, the Auditor shall draw his warrant on the Treasurer in favor of such commissioner, in a sum not to exceed ten dollars per day for each day engaged: *Provided, however*, That neither of said commissioners shall receive for his services more than twenty-five hundred dollars, except mileage, which he shall be entitled to at the same rate as a member of the General Assembly.

§ 5. If either of the commissioners appointed by the Governor, and confirmed by the Senate, should die, resign, or refuse to accept or act, the Governor may, in vacation, fill such vacancy.

§ 6. This act to be in force from its passage.

Said amendment, adopted by the Senate as a substitute for said bill, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That three commissioners, learned in the law, be appointed by the Governor, by and with the advice and consent of the Senate, to revise, digest, and systematize the Civil and Criminal Statute Laws and the Civil and Criminal Codes of Practice of this Commonwealth, reducing the law upon each subject under particular chapters and titles; with notes of reference to existing laws, and such general laws as may have been repealed since the adoption of the Revised Statutes, and such decisions of the Court of Appeals as they may deem necessary; and that they report to the next General Assembly, or as soon as they have completed their work; and that, upon its completion, they be allowed adequate compensation therefor out of any money in the Treasury not otherwise appropriated.

§ 2. In the event that any of said commissioners shall die, resign, or refuse to act, then said vacancy shall be filled by the Governor.

§ 3. This act shall take effect from its passage.

The question was then taken on adhering to said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. William Johnson and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	E. D. Standeford,
F. M. Allison,	Joseph Gardner,	A. G. Talbott,
Robert Boyd,	William Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	W. L. Vories,
Jno. G. Carlisle,	A. L. McAfee,	Ben. J. Webb,
J. Q. Chenoweth,	Lewis Perrin,	Emery Whitaker,
Harrison Cockrill,	K. F. Prichard,	Thos. Wrightson—22.
G. W. Connor,		

Those who voted in the negative, were—

W. McKee Fox,	I. A. Spalding,	Oscar Turner—4.
Edwin Hawes,		

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 22, 1871.

The Presiding Officer of the Senate being absent, the Hon. Emery Whitaker was unanimously chosen as Speaker *pro tem.* of the Senate.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

An act authorizing and empowering county courts to purchase from Commissioners of Sinking Fund stock in turnpike roads belonging to the State of Kentucky.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred to the Committee on the Sinking Fund.

A message was also received from the House of Representatives, announcing that they had adopted resolutions of the following titles, viz:

Resolution in relation to firing salute on the 22d February, inst.

Resolution in relation to the removal of political disabilities.

Which resolutions were taken up, twice read, and concurred in, the latter with an amendment.

Which amendment was concurred in by the House of Representatives, as reported by the Clerk.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act to legalize second day's business of Mercer circuit court, November term, 1870.

By same—

An act to abolish the July term of the Mercer circuit court.

By same—

An act to provide for the payment of grand and petit jurors of Mercer circuit court, at November term, 1870.

By same—

An act to repeal an act, entitled "An act for the benefit of Rockcastle county, in relation to roads and passways."

By same—

An act for the benefit of Nicholas county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to incorporate the Lafayette and New Providence Turnpike Road Company.

By same—

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company.

By same—

An act to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county.

By same—

An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county.

By same—

An act to amend an act, entitled "An act to alter and amend the road law in Simpson county."

By same—

An act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

By Mr. Boyd, from the Committee on Propositions and Grievances—

An act for the benefit of the citizens of Boston, in Whitley county.

By same—

An act changing the boundary line between the counties of Laurel and Rockcastle.

By Mr. W. Johnson, from the Committee on the Judiciary—

An act concerning the titles of John C. King, H. J. Lewis and brother, and E. H. Bland, to certain real estate formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky.

By Mr. Fox, from the Committee on Revised Statutes and Codes of Practice—

An act to authorize Capital Lodge, No. 6, I. O. O. F., at Frankfort, to issue bonds.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

1. A bill to authorize the county court of Butler county to issue bonds to raise the necessary funds to build a court-house.

By same—

2. A bill concerning the advertisement of sheriffs' and commissioners' sales of land in Bath county.

By same—

3. A bill to print sheriffs' and master commissioners' advertisements of land sales in Carroll county, in paper printed in said county.

By Mr. Dorman, from same committee—

4. A bill to incorporate the town of Sanders, in Gallatin county.

By Mr. Spalding, from the Committee on Finance—

5. A bill to pay military claims audited by the Quarter-Master General.

By same—

6. A bill to require railroad companies in this State to pay an *ad valorem* tax for county purposes.

By Mr. Standeford, from the Committee on Internal Improvement—

7. A bill to amend the charter of the Owenton and Clay Lick Turnpike Road Company.

By Mr. Carlisle, from the Committee on the Judiciary—

8. A bill to declare when the railroad taxes shall be paid over to the Commissioners of the Sinking Fund, in Boyle county.

By same—

9. A bill to attach the counties of Elliott and Lee to the Thirty-fourth Senatorial District.

By same—

10. A bill to incorporate the town of Milledgeville, in Lincoln county.

By same—

11. A bill to authorize the county court of Fayette county to pay out of the county funds the expenses of certain officers, incurred in United States district and circuit courts.

By Mr. Boyd, from the Committee on Propositions and Grievances—

12. A bill declaring a portion of Round Stone Creek, in Rockcastle county, navigable.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 5th and 6th were ordered to be printed, and made the special order of the day for Friday next, and the 1st, 2d, 3d, 4th, 7th, 8th, 9th, 10th, 11th, and 12th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Talbott, from the Committee on Railroads, to whom had been referred the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz:

An act to require railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains, in cases where tickets are required before entering the cars;

An act to incorporate the Kentucky Central Railroad Company;

Reported the same, with the expression of opinion that said amendments should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Blue Lick Turnpike Road Company;

An act to change the time of holding the circuit courts in the 1st judicial district, and providing for the change of cases to court of common pleas in certain cases;

An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the First Judicial District;

An act for the benefit of Richard Board, clerk of the Mercer circuit court;

An act to incorporate the Kentucky Central Railroad Company;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act creating a sinking fund for Montgomery county," passed March 10, 1856;

An act for the benefit of Nazareth Literary and Benevolent Institute and the Catholic congregation of Frankfort;

An act authorizing the trustees of the town of Shepherdsville to take stock in the Paroquet Springs Company;

An act to regulate the making of deeds in the Louisville chancery court;

An act to change the time of holding the Garrard quarterly courts;

An act to amend an act, entitled "An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company;"

Resolution of instruction to certain committees of Senate and House of Representatives, with regard to supplying deficit in Sinking Fund;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

The following petitions and remonstrances were presented, viz:

By Mr. Carlisle—

1. The petition of citizens of Covington, asking that the provisions of the act of 1856 be applied to the act incorporating the Kentucky Central Railroad Company.

By Mr. Boyd—

2. The remonstrance of sundry citizens of Josh Bell county, against the passage of a law prohibiting the sale of ardent spirits in said county.

By Mr. Hayden—

3. The petition of sundry citizens of Elizabethtown, asking an amendment of the charter thereof.

By same—

4. The remonstrance of sundry citizens of Elizabethtown, protesting against an amendment of the charter thereof.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Railroads, and the 2d, 3d, and 4th to the Committee on Propositions and Grievances.

Mr. Wm. Johnson, from the Committee on Courts of Justice, to whom was referred the petition of numerous citizens of Elizabethtown, asking the passage of an act requiring railway trains to run at less speed and with better signals through said town,

Asked to be discharged from the further consideration of the same, and that it be referred to the Committee on Railroads.

Which was granted, and said petition so referred.

A message was received from the House of Representatives, announcing that they insist upon their disagreement to the amendment proposed by the Senate, to a bill from the House of Representatives, entitled

An act to revise, digest, and compile the statute laws of this State.

And that they had appointed a committee of conference, to act in conjunction with a similar committee to be appointed on the part of the Senate, to take into consideration the disagreement between the two Houses in relation to said amendment.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend the charter of the Paducah and Gulf Railroad Company,

With the pending amendment proposed by Mr. Tyler.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Paducah and Gulf Railroad Company be, and is hereby, authorized to consolidate with the Mississippi River Railway Company, chartered by the Legislature of the State of Tennessee, on such terms and conditions as may be agreed upon between the two companies; and said Paducah and Gulf Railroad Company is hereby authorized and empowered to change its corporate name and title to the Paducah and Memphis Railroad Company, and in such name shall have all the powers and privileges heretofore conferred on said companies by the laws of the States of Kentucky and Tennessee.

§ 2. If said consolidation should take place between the two said railroad companies, under the name and title of the Paducah and Memphis Railroad Company, then said Paducah and Memphis Railroad Company is hereby authorized to issue and sell the bonds of the consolidated company, signed by the President, and countersigned by the Secretary thereof, with the seal of the company affixed, and coupons for interest attached and signed by said Secretary, to an

amount not exceeding five millions of dollars, bearing interest at a rate not exceeding eight per cent. per annum, payable semi-annually, and the bonds and coupons to be payable at such place or places as the directors of the company may select; and the principal of the bonds be payable at a period not exceeding thirty years from their respective dates.

§ 3. That, in order to secure the prompt payment of the principal and interest of the bonds issued by virtue of this act, said consolidated company shall have the power to execute a mortgage or deed of trust to a trustee or trustees, and to fill any vacancy that may occur by reason of the death, resignation, or removal of such trustee upon the main line of the railroad from Paducah to Memphis, and other property, rights, privileges, and franchises of said consolidated company; and said mortgage or deed of trust shall contain such stipulations as may be deemed necessary and effectual in securing the payment of the interest and principal of said bonds at the maturity of the same.

Said amendment reads as follows, viz:

Provided, That the engines and rolling stock used in operating said road shall not be embraced in said mortgage, but shall, at all times, remain subject to the satisfaction of any judgment recovered against said company, or any other person or persons or corporation operating said road, in any county in this State through which said road may run, for wages, materials, and supplies in repairing or running said road; for damages for breaches of contracts of affreightment; for injury, loss, or destruction of any property put on the cars on said road for transportation; or for any injury to person or property occasioned in the running of said road; and such judgment shall be enforceable by execution against such engines and rolling stock.

Mr. Turner moved to amend said amendment as follows, viz:

Strike out after the word "company" the words "shall not be embraced in said mortgage but," and add the following: "and such right shall not be affected by any mortgage which may be executed under this act; but all such debts and liabilities may be enforced and collected in the same manner as if said engines and rolling stock were unencumbered by any mortgage; and all laws in conflict with this section are hereby repealed.

"§ 4. This act shall take effect from and after its passage."

The question being taken on the adoption of the amendment proposed by Mr. Turner to Mr. Tyler's proposed amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Joseph Gardner,	Lewis Perrin,
F. M. Allison,	Edwin Hawes,	A. G. Talbott,

Jno. G. Carlisle,	J. B. Hayden,	Oscar Turner,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
G. W. Connor,	D. Y. Lyttle,	Emery Whitaker—15.

Those who voted in the negative, were—

R. A. Burton,	I. A. Spalding,	A. C. Vallandingham,
J. H. Dorman,	E. D. Standeford,	H. A. Tyler—7.
K. F. Prichard,		

The question was then taken on the adoption of the amendment as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Carlisle moved to reconsider the vote by which the Senate rejected a bill, entitled

An act for the benefit of Emma Wade, widow of Wm. M. Wade, deceased.

Which motion was entered only.

On motion of Mr. Payne,

Leave was given to bring in a bill, entitled

A bill to amend the common school laws of this Commonwealth.

Ordered, That the Committee on Education prepare and bring in said bill.

And then the Senate adjourned.

THURSDAY, FEBRUARY 23, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Paducah Hook and Ladder Company.

That they had passed bills which originated in the Senate, of the following titles, viz:

1. An act to authorize the Fayette county court to pay out of the county funds the expenses of certain officers, incurred in the United States district and circuit courts.

2. An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes."

3. An act for the benefit of the State House of Reform.

With amendments to the last two named bills.

The amendments to the first of which were referred to the Committee on Revised Statutes and Codes of Practice, and the amendments to the last were taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to incorporate a steam ferry company at the mouth of the Ohio river, in Ballard county.

2. An act to repeal certain acts relative to the Louisville and Taylorsville Turnpike Road Company, and to amend the charter of the same.

3. An act to protect owners of land in Carroll, Hardin, and Gallatin counties, from trespassers.

4. An act to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county.

5. An act for the benefit of J. S. Randall, of Whitley county.

6. An act to incorporate the Odd Fellows' Hall Company, in the town of Nicholasville.

7. An act to amend the charter of the city of Paducah.

8. An act to incorporate the Paducah and Woodville Gravel Road Company.

9. An act to amend the charter of the Paducah Chephna Eshurum Burial Society.

10. An act to change and fix the time of holding the common pleas court in McCracken and Ballard counties.

11. An act to define and locate the county line between Breathitt and Lee counties, near the store-house of J. & W. R. Crawford.

12. An act to establish C. L. S. Mathews as a citizen of Cumberland county.

13. An act explanatory of "An act to regulate the sale of intoxicating drinks in Hawesville and its vicinity," approved March 21, 1870.

14. An act for the benefit of Clark and Montgomery counties.

15. An act to repeal an act, entitled "An act for the benefit of the citizens of Williamsburg, in Whitley county."

16. An act to amend an act, entitled "An act to incorporate the Simpsonville and Antioch Turnpike Road Com pany."

17. An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

18. An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling.

19. An act to amend the town charter of Tompkinsville, in Monroe county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 7th, 8th, 9th, 10th, 12th, 18th, and 19th to the Committee on the Judiciary; the 2d and 16th to the Committee on Internal Improvement; the 3d to the Committee on Agriculture and Manufactures; the 4th, 13th, and 14th to the Committee on Religion and Morals; the 5th to the Committee on Finance; the 6th to the Committee on Revised Statutes; the 11th and 17th to the Committee on Propositions and Grievances; and the 15th to the Committee on Privileges and Elections.

Mr. Alexander, from the Committee on the Sinking Fund, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies;

An act authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky;

Reported the same without amendment.

Ordered, That the further consideration of said bills be postponed to, and made the special order of the day for, to-morrow, at 10½ o'clock, A. M.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Talbott, from the Committee on Railroads—

An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad Company," approved February 1, 1868.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Mt. Washington, Bullitt county.

By same—

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, in Butler county, and within one half mile of the corporate limits of said town.

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

An act to amend an act, entitled "An act for the benefit of James Davis, of Knox county."

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act in relation to the sale of spirituous liquors in Morgan county.

With an amendment to the last named bill, which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Carlisle, from the Committee on Railroads—

A bill to incorporate the Woodford Railroad Company.

By Mr. Talbott, from same committee—

A bill to incorporate the Southern Kentucky Railroad Company.

By Mr. Payne, from same committee—

A bill to amend the charter of the Bowling Green, Hartford, and Ohio River Railroad Company.

By Mr. Cooke, from same committee—

A bill to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

A bill to amend the charter of the town of Mayfield.

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend chapter 103, of the Revised Statutes, title "Turnpike and Plank Roads."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the State House of Reform;

An act to require railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains;

And an enrolled bill and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved March 5th, 1870;

Resolution in relation to firing salute on the 22d February;

Resolution in relation to the removal of political disabilities;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Kentucky Eastern Lunatic Asylum.

An act for the benefit of the Deaf and Dumb Asylum at Danville.

An act for the benefit of James M. Bullock, of Laurel county.

An act to incorporate the Kentucky Central Railroad Company.

An act for the benefit of Richard Board, clerk of the Mercer circuit court.

An act regulating the time of holding the circuit courts in the 1st judicial district, and providing for the change of cases to courts of common pleas in certain cases.

An act to repeal the court of common pleas in the counties of Hickman, Fulton, Graves, and Marshall, in the First Judicial District.

An act to amend the charter of the Blue Lick Turnpike Road Company.

Leave was given to bring in the following bills, viz:

On motion of Mr. Fox—

1. A bill to regulate the tax on hotel-keepers in Somerset.

On motion of Mr. Vallandingham—

2. A bill to increase the salary of Commonwealth's Attorneys.

On motion of Mr. Connor—

3. A bill to amend chapter 103 of Revised Statutes, title "Turnpike and Plank Roads."

On motion of Mr. Lyttle—

4. A bill to procure the collection of the revenue and county levy of Clay county.

Ordered, That the Committee on Claims prepare and bring in the 1st; the Committee on the Judiciary the 2d; the Committee on Revised Statutes the 3d; and the Committee on Propositions and Grievances the 4th.

The Senate took up for consideration a bill, entitled

A bill to establish a chancery court for the counties of Campbell and Kenton.

On motion of Mr. Carlisle,

Ordered, That said bill be made the special order of the day for to-morrow.

On motion of Mr. Vallandingham,

Mr. Perrin was added to the Committee on Charitable Institutions.

The following petitions were presented, viz:

By Mr. Cockrill—

1. The petition of Richard H. Lamb, and sundry citizens of Madison county, asking that said Lamb be allowed to sell liquor.

By Mr. Hawes—

2. The petition of numerous citizens of Hancock county, asking that Mrs. Margaret Skelley be exempted from the operation of the act prohibiting the sale of intoxicating liquors in the town of Hawesville.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on Religion and Morals.

Mr. Vallandingham offered the following resolution, viz:

Resolved, That a select committee of five be appointed by the Speaker of the Senate to examine into the condition of the finances of the State, and report by bill or otherwise; and it shall be in order for said committee to report at any time.

Which was adopted.

Whereupon, Messrs. Carlisle, Standeford, Whitaker, Clarke, and Payne were appointed said committee.

Messrs. Conklin, Cooke, and Whitaker were appointed a committee of conference, to act in conjunction with a similar committee already appointed on the part of the House of Representatives, to take into consideration the disagreement between the two Houses relative to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws of this State.

The Senate took up for consideration the motion heretofore entered to reconsider the vote by which the Senate had rejected a bill, entitled

A bill for the benefit of Emma Wade, widow of Wm. M. Wade, deceased.

And the question being taken thereon, it was decided in the affirmative.

Said bill reads as follows, viz:

WHEREAS, Eleven slaves were committed to the Oldham county jail as runaways in the years 1862 and 1863, and were, by order of the county court for said county, sold as runaways, and the purchasers of said slaves were deprived of said slaves by the military authorities of the United States, and by reason thereof have been relieved of the payment for said slaves; and whereas, William M. Wade, late jailer of said county, was allowed by said county court, as his fees for keeping said slaves, one thousand and ten dollars, which, by the law, would have been paid out of the price of said slaves, but was not, and has not been, by reason of the said money not having been collected; and whereas, said Wade is dead, and Emma Wade is his widow; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and is hereby, directed to draw his warrant on the Treasurer for one thousand and ten dollars in favor of Emma Wade, widow of William M. Wade, in full of the allowance named in the above preamble; the aforesaid sum to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Joseph Gardner,	K. F. Prichard,
Jos. M. Alexander,	J. B. Hayden,	I. A. Spalding,
R. A. Burton,	Wm. Johnson,	E. D. Standeford,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
John B. Clarke,	D. Y. Lyttle,	W. L. Vories,
Harrison Cockrill,	W. H. Payne,	Ben. J. Webb,
Wm. L. Conklin,	Lewis Perrin,	Emery Whitaker—22.
Lyttleton Cooke,		

Those who voted in the negative, were—

Robert Boyd,	G. W. Connor,	Oscar Turner,
A. K. Bradley,	J. H. Dorman,	H. A. Tyler,
John G. Carlisle,	Edwin Hawes,	Thos. Wrightson—9.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore entered to reconsider the vote by which the Senate had concurred in a resolution adopted by the House of Representatives, entitled

Resolution fixing day for final adjournment.

Which reads as follows, viz:

Resolved by the General Assembly of the Commonweatth of Kentucky, That when they adjourn on Wednesday, the 1st day of March, they will adjourn without day.

The question was then taken on said motion, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Holt),	Wm. L. Conklin,	Lewis Perrin,
R. A. Burton,	G. W. Connor,	K. F. Prichard,
John G. Carlisle,	Lyttleton Cooke,	A. G. Talbott,
W. H. Chelf,	J. H. Dorman,	A. C. Vallandingham,
J. Q. Chenoweth,	Edwin Hawes,	Ben. J. Webb,
John B. Clarke,	John W. Johnson,	Emery Whitaker,
Harrison Cockrill,	D. Y. Lyttle,	Thos. Wrightson—21.

Those who voted in the negative, were—

Robert Boyd,	W. H. Payne,	Oscar Turner,
A. K. Bradley,	I. A. Spalding	H. A. Tyler,
Joseph Gardner,	E. D. Standeford,	W. L. Vories—10.
William Johnson,		

On motion of Mr. Carlisle,

Ordered, That said resolution be made the special order of the day for Tuesday next, February 28th.

Mr. Cooke, from the Committee on Railroads, asked to be discharged from the further consideration of the petition of sundry citizens of Covington, asking that the provisions of the act of 1856 be applied to the act incorporating the Kentucky Central Railroad Company.

Which was granted.

Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to prevent the granting of license to sell vinous or malt liquors, or giving the same, in the county of Jackson,

Reported the same, with the expression of opinion that said bill ought not to pass.

Ordered, That said bill be placed in the orders of the day.

Mr. Spalding, from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to amend sections 295 and 326, of the Code of Practice in civil cases;

An act to amend section 320 of the Civil Code of Practice;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken separately on ordering each of said bills to be read a third time, the opinion of the committee to the contrary, it was decided in the negative.

So said bills were disagreed to.

Mr. Spalding, from the same committee, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to incorporate the Ladies' Benevolent Society, No. 1;

An act to incorporate Trimble Lodge, No. 145, of Ancient York Masons;

Asked to be discharged from the further consideration of said bills, their introduction having been in violation of Rule 81.

Which was granted.

Mr. Chelf, from the Committee on Education, reported a bill, entitled

A bill to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools in Kentucky," approved March 21, 1870.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section twenty-three of an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky," approved March the 21st, 1870, be, and the same is, repealed.

§ 2. That from and after the school year ending June the 30th, 1871, each common school commissioner of this Commonwealth shall receive a salary of one hundred dollars each, which shall be paid out of the common school money going to each county; and for this purpose the Auditor and Superintendent of Public Instruction shall annually set apart this amount for the benefit of such commissioners, to be paid to them respectively at the end of each school year; and, in addition to the salary herein named, each commissioner shall receive four dollars for each common school district in which a common school is legally taught, and one per cent. on the money received and disbursed by him; which sums shall be retained by the commissioner out of the amount disbursed by him in each common school district in his county: *Provided*, That before the Auditor shall draw his warrant in favor of any school commissioner for the salary herein provided for, he shall be satisfied, from the certificate of the Superin-

tendent of Public Instruction, that such commissioner has discharged his duties according to law.

Mr. Conklin moved to amend said bill by striking out after the words "commissioner shall receive," in the second section, the word "four," and inserting in lieu thereof the word "three."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conklin and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Edwin Hawes,	I. A. Spalding,
A. K. Bradley,	J. B. Hayden,	A. G. Talbott,
John G. Carlisle,	William Johnson,	Oscar Turner,
Wm. L. Conklin,	John W. Johnson,	A. C. Vallandingham,
Lyttleton Cooke,	D. Y. Lyttle,	H. A. Tyler—16.
Joseph Gardner,		

Those who voted in the negative, were—

Mr. Speaker (Holt),	G. W. Connor,	K. F. Prichard,
R. A. Burton,	J. H. Dorman,	E. D. Standeford,
W. H. Chelf,	W. H. Payne,	Ben. J. Webb,
J. Q. Chenoweth,	Lewis Perrin,	Thos. Wrightson—13.
John B. Clarke,		

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Spalding, from the Committee on the Revised Statutes and Codes of Practice, reported a bill, entitled

A bill to regulate the running time of the Louisville and Nashville Railroad through the limits of the town of Elizabethtown.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Louisville and Nashville Railroad Company be, and is hereby, required to run its trains at a rate not exceeding four miles an hour, and to ring the engine bell while in motion in the limits of the town of Elizabethtown; and it is furthermore required to whistle the proper signal immediately before entering said town limits.

§ 2. That if person or property is injured by its trains, while violating this act, the said railroad company shall be liable to the party so injured in treble damages, to be recovered before the proper tribunals.

§ 3. That for any violation of this act, the company shall be liable to a fine of one hundred dollars, to be recovered by warrant, upon information of any person before the police judge of said town; and when said fine is collected, one fourth shall go to the informer, and the remainder shall be paid into the town treasury. Trial under this act may be had on any day after warrant is served on the agent at the depot in said town, ten days after the service thereof.

§ 4. This act shall take effect from and after its passage.

Mr. Wrightson moved that said bill be referred to the Committee on Railroads, with instructions to report a general bill.

The question being taken thereon, it was decided in the negative.

Mr. Cooke moved to amend said bill by striking out, in the first section, the word "four," and inserting, in lieu thereof the word "ten."

Mr. Vallandingham having demanded a division of the question, the question was first taken on striking out "four," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooké and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were--

Mr. SPEAKER (Holt),	Lyttleton Cooke,	E. D. Standeford,
Robert Boyd,	J. H. Dorman,	Oscar Turner,
A. K. Bradley,	Edwin Hawes,	A. C. Vallandingham,
John G. Carlisle,	J. B. Hayden,	Ben. J. Webb,
W. H. Chelf,	William Johnson,	Emery Whitaker,
J. Q. Chenoweth,	John W. Johnson,	Thos. Wrightson—20.
Wm L. Conklin,	D. Y. Lyttle,	

Those who voted in the negative, were—

R. A. Burton,	Lewis Perrin,	A. G. Talbott,
A. L. McAfee,	I. A. Spalding,	H. A. Tyler—6.

Mr. Vallandingham moved to insert "eight."

Mr. Wrightson moved to fill the blank with "six."

Mr. Cooke having withdrawn his motion to insert "ten,"

The question was taken on inserting "eight," and it was decided in the affirmative.

Mr. Payne moved to further amend said bill by adding, as an additional section, the following, viz:

The provisions of this act shall also apply to the town of Bowling Green.

Mr. Vallandingham moved to amend said amendment by adding thereto the words, "and Franklin."

Which motion was adopted.

The question being taken on the adoption of Mr. Payne's amendment, as amended, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooke and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Holt),	J. B. Hayden,	A. G. Talbott,
A. K. Bradley,	John W. Johnson,	Oscar Turner,
R. A. Burton,	A. L. McAfee,	H. A. Tyler,
W. H. Chelf,	W. H. Payne,	A. C. Vallandingham,
Harrison Cockrill,	Lewis Perrin,	W. L. Vories,
Wm. L. Conklin,	K. F. Prichard,	Ben. J. Webb,
G. W. Connor,	I. A. Spalding,	Emery Whitaker,
J. H. Dorman,	E. D. Standeford,	Thos. Wrightson—25.
Joseph Gardner,		

Those who voted in the negative, were—

Robert Boyd,	John B. Clarke,	Edwin Hawes,
Jno. G. Carlisle,	Lyttleton Cooke,	Wm. Johnson—6.

Resolved, That the title of said bill be amended to read,

An act to regulate the running time of the Louisville and Nashville Railroad through the limits of the towns of Elizabethtown, Bowling Green, and Franklin.

Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to amend section 226, Civil Code, making it the duty of sheriffs to copy attachments, &c., from other than his own county, in county clerk's office, &c.,

Reported the same with an amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be, and hereby is, made the duty of the sheriff of each county, whenever an attachment from other than his own county is by him levied upon any realty, to copy said attachment, together

with his return thereon, in a book in the county clerk's office, to be provided by the county clerk for that purpose, entitled "Attachments."

§ 2. The sheriff shall be allowed twenty-five cents for making said entry, to be taxed as costs; and upon his failure to make said entry, shall be liable, on his official bond, for all damages that may occur to any subsequent purchaser of said lands.

§ 3. This act to take effect from and after the second Monday in July, 1870.

Said amendment is as follows, viz:

Strike out in the second section all after the word "costs."

The question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

J. Q. Chenoweth,	I. A. Spalding,	Emery Whitaker—5.
J. H. Dorman,	W. L. Vories,	

Those who voted in the negative, were—

Mr SPEAKER (Holt),	G. W. Connor,	A. L. McAfee,
Robert Boyd,	Lyttleton Cooke,	W. H. Payne,
A. K. Bradley,	Joseph Gardner,	A. G. Talbott,
R. A. Burton,	Edwin Hawes,	Oscar Turner,
John G. Carlisle,	J. B. Hayden,	H. A. Tyler,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—22.
Wm. L. Conklin,		

So said bill was disagreed to.

And then the Senate adjourned.

FRIDAY, FEBRUARY 24, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a resolution, which originated in the House of Representatives, entitled

Resolution requesting the Insurance Commissioner to make investigation of the affairs of certain insurance companies.

That they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to regulate the making of deeds in the Louisville chancery court.

An act to amend an act, entitled "An act creating a sinking fund for Montgomery county," passed March 10, 1856.

An act for the benefit of Nazareth Literary and Benevolent Institute and the Catholic congregation of Frankfort.

An act to change the time of holding the Garrard quarterly courts.

An act authorizing the trustees of the town of Shepherdsville to take stock in the Paroquet Springs Company.

An act to amend an act, entitled "An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company."

An act for the benefit of J. S. Pitman and W. Frank Crawford, of Powell county.

An act to amend the charter of the Alexandria and Flag Spring Turnpike Road Company, in Campbell county.

An act for the benefit of William O. Mize.

An act declaring Lower Buffalo creek, in Owsley county, a navigable stream from its mouth to the mouth of the Road Fork of said creek.

An act for the benefit of James W. Hannah, of Elliott county.

An act for the benefit of the Germantown and Bridgeville Turnpike Road Company, in Bracken county.

An act to incorporate the town of Sebree City, in Webster county.

An act to incorporate the Kentucky and Tennessee Railroad Company.

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company, and to authorize the same to issue bonds.

An act to incorporate the Jacksonville and Townsend Turnpike Road Company.

An act to amend the charter of the city of Newport.

An act to create the office of Superintendent of the Negro Paupers of Mercer county.

An act to incorporate the Dixon and Clayville Turnpike and Gravel Road Company, in Webster county.

An act to amend an act, entitled "An act to incorporate the Springfield, Willisburg, Antioch, and Fox Creek Turnpike Road Company."

An act to amend the charter of the city of Newport.

An act to regulate the time of holding circuit courts in the Thirteenth Judicial District.

An act to protect the manufacturers and bottlers of mineral water, ale, &c.

An act to amend the charter of the Stanford and Milledgeville Turnpike Company.

An act for the benefit of the present and future sheriffs of Bath county.

An act to change the time of holding the monthly sessions of the Bracken county court.

Resolution of instructions to certain committees of Senate and House of Representatives, with regard to supplying deficit in Sinking Fund.

That they had disagreed to the passage of a bill, which originated in the Senate, entitled.

An act to provide for the advertisement of sheriffs' and marshals' sales in the city of Louisville and Jefferson county, and to repeal all laws in conflict therewith.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds."

An act regulating appeals from the police court of Bardstown.

An act for the benefit of Margaret Grief, of McCracken county.

That they had passed bills of the following titles, viz:

1. An act to change the time of holding the Ohio county quarterly court.

2. An act to authorize R. S. Mosely to make a cross-index to the suits of the Ohio county quarterly court.

3. An act to amend the charter of the town of Cromwell, in Ohio county.

4. An act to amend an act to regulate the sale and storage of illuminating oils, as far as the same applies to Ohio county.

5. An act to remove the disabilities of James M. Brooks.

6. An act to legalize the acts of Frank Walton and J. B. Finnell, deputy clerks of A. B. Parker, clerk of the Boone county court.

7. An act to amend an act to incorporate the Cook Benevolent Institution.

8. An act to revive an act, entitled "An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson," approved 2d day of March, 1869.

9. An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.

10. An act to regulate the recording of deeds made under order of the Louisville chancery court.

11. An act to incorporate the Farmers' Club of Shelby county.

12. An act to ptotect bridges over Licking river, in Pendleton county.

13. An act for the benefit of Henry C. Thompson, of Livingston county.

14. An act for the benefit of the county judge of Carroll county.

15. An act to repeal an act, entitled "An act to repeal an act to provide for the advertisement of sheriff's and marshal's sales in the city of Louisville and Jefferson county.

16. An act to prevent the sale of spirituous, vinous, or malt liquors in the county of Jackson.

17. An act to incorporate the Christian Church at Ghent.

18. An act for the benefit of the Slate Union or Salt Well Church, in Bath county.

19. An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof.

20. An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Saloma, in Taylor county.

21. An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the center thereof.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, and 6th to the Committee on Courts of Justice; the 3d and 4th to the Committee on Revised Statutes and Codes of Practice; the 5th, 7th, 8th, 9th, 10th, 13th, 14th, and 15th to the Committee on the Judiciary; the 11th to the Committee on Agriculture and Manufactures; the 12th to the Committee on Internal Improvement; and the 16th, 17th, 18th, 19th, 20th, and 21st to the Committee on Religion and Morals.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to authorize and legalize appropriations out of the railroad fund in Boyle county.

On motion of Mr. J. W. Johnson—

2. A bill to amend the charter of the Hartford Railroad and Mining Company.

On motion of same—

3. A bill in regard to the town marshal of Hartford, in Ohio county.

On motion of Mr. Talbott—

4. A bill to amend the charter of the town of Crab Orchard, in Lincoln county.

On motion of Mr. Wrightson—

5. A bill to amend the charter of the Gaylord Iron and Manufacturing Company, approved March 16, 1869.

On motion of Mr. Cockrill—

6. A bill to increase the jurisdiction of the county court judges of the counties of Madison, Estill, and Powell.

On motion of same—

7. A bill for the benefit of Henry B. Wisman, sheriff of Estill county.

On motion of Mr. Chenoweth—

8. A bill to amend section 3, article 3, chapter 17, of Revised Statutes.

Ordered, That a select committee, consisting of Messrs. Talbott, Lyttle, and Burton, be requested to prepare and bring in the 1st; the

Committee on Railroads the 2d; the Committee on the Judiciary the 3d; Messrs. Talbott, Payne, and Prichard the 4th; the Committee on Agriculture and Manufactures the 5th; the Committee on Courts of Justice the 6th; the Committee on Finance the 7th; and the Committee on the Revised Statutes the 8th.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, viz:

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

1. An act to amend chapter 9 of title 10, of the Civil Code of Practice, entitled "Forcible Entry and Detainer."

By same—

2. An act to amend section 1, article 22, of the Revised Statutes.

By Mr. W. Johnson, from the Committee on the Judiciary—

3. An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854.

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

4. An act to amend section 367 of the Civil Code of Practice.

With an amendment to the last named bill, which was adopted.

On motion, the 2d of said bills was laid upon the table; and the 1st, 3d, and 4th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Talbott, from a select committee—

A bill to authorize and legalize appropriations out of the railroad fund of Boyle county.

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

A bill to confer jurisdiction upon justices of the peace in prosecutions for carrying concealed deadly weapons.

By Mr. Boyd, from the Committee on Propositions and Grievances—

A bill to procure the collection of the revenue and county levy of Clay county for the year 1870.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Conklin, from the committee of conference in relation to the disagreement between the two Houses upon an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws of this State,

Made the following report, viz:

The undersigned, a committee of conference, appointed by the Senate and House of Representatives, to take into consideration the disagreement between the two Houses, in relation to an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled "An act to revise, digest, and compile the statute laws of this State," would most respectfully report, that, after due deliberation, we have agreed upon a bill which shall supersede the original one, as passed by the House of Representatives, which bill will be first reported to the House for its action, a copy of which, however, we report herewith.

In conclusion, we would say, that we recommend the passage of the bill by the two Houses of the General Assembly.

W. L. CONKLIN,
EMERY WHITAKER,
LYTTLETON COOKE,
Senate Committee.
G. R. McKEE,
G. W. SILVERTOOTH,
J. M. ATHERTON.
House Committee.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, entitled

An act to authorize the Fayette county court to pay out of the county funds the expenses of certain officers, incurred in the United States district and circuit courts;

And enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the town of Tompkinsville, in Monroe county;

An act concerning the titles of John C. King, H. J. Lewis and brother, and E. H. Bland, to certain real estate formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky;

An act to authorize Capital Lodge, No. 6, I. O. O. F., at Frankfort, to issue bonds;

An act to incorporate the Lafayette and New Providence Turnpike Road Company;

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company;

An act to abolish the July term of the Mercer circuit court;

An act to provide for the payment of grand and petit jurors of Mercer circuit court, at November term, 1870;

An act to legalize second day's business of Mercer circuit court, November term, 1870;

An act to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county;

An act changing the boundary line between the counties of Laurel and Rockcastle;

An act for the benefit of Nicholas county;

An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county;

An act for the benefit of the citizens of Boston, in Whitley county;

An act to amend an act, entitled "An act to alter and amend the road law in Livingston county;"

An act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company;

An act to repeal an act, entitled "An act for the benefit of Rockcastle county, in relation to roads and passways;"

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had passed the bill recommended by the committee of conference of the two Houses, entitled

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

It was placed in the orders of the day.

The Senate took up for consideration bills of the following titles viz:

A bill repealing subsection 7 of section 670, of the Civil Code of Practice.

A bill repealing the 3d section of an act, entitled "An act conferring certain civil rights upon negroes and mulattoos," approved February 14, 1866.

A bill to establish the county of Adams.

Ordered, That the further consideration of said bills be postponed until Tuesday next, February 28th.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund be, and they are hereby, authorized and directed to sell all the stock which belongs to the State of Kentucky, in all the turnpike roads or turnpike road companies within the State, in which the State owns or is entitled to stock or any claim whatever on account of advances or appropriations heretofore made and expended on such roads.

§ 2. That all sales herein contemplated shall be made in such manner and at such time or times, and for such price or prices, and on such terms and conditions, and for such payments or installments, bearing interest from date of sale, all to be payable within, or less than ten years, from the date of sale, as in the discretion of said commissioners will secure the highest price and best promote the interest of the State.

§ 3. That in making the sales herein contemplated the said commissioners shall give preference and first make an effort to sell to the

county court or county courts of the county or counties in which the said roads may be respectively situated; but if such county court or courts shall fail to purchase the stock in such roads as are situated therein, on such terms and conditions, and for such price as may be approved by said commissioners, then the said commissioners shall sell and dispose of the same as aforesaid, to the best advantage of the State, to other persons or corporations; but if the sale be made to other persons or corporations, the same shall be upon a credit of not more than five years.

§ 4. That all obligations taken by said commissioners for deferred payments shall be made payable to the "Commissioners of the Sinking Fund of Kentucky," and bear interest from date, at the rate of six per centum per annum, payable annually, and be secured by a lien on the stock for which such obligations may be executed.

§ 5. That after the payment in full of the purchase price and interest thereon, all purchasers of stock sold under the provisions of this act shall be entitled to have and receive from said commissioners a full acquittance and transfer of the same, which shall be signed by the Governor, and be attested by the Auditor of Public Accounts, showing the amount or number of shares of stock sold, and the amount paid for the same.

§ 6. That in all cases the purchaser of the stock, from the date of such purchase and the delivery of a certificate thereof, shall represent the same, and exercise the same voice in the election of officers and management of said roads, as if the amount of stock so held and acquired had originally been issued to them; such purchasers taking the place of and superseding all State proxies to the extent of the stock thus acquired and represented by them.

§ 7. That, in order to facilitate the sale of the stock and the discharge of the duties imposed upon the Commissioners of the Sinking Fund by this act, said commissioners are hereby authorized, in their discretion, to appoint one or more agents, and to fix his or their compensation for services and pay the same: *Provided, however*, That no agreement or contract made by such agent or agents shall be binding until it has been approved by said commissioners.

§ 8. That after paying such expenses as may be incurred in selling the stock herein contemplated, the net proceeds thereof shall be paid into the Treasury, and be placed to the credit of the Sinking Fund.

§ 9. That all bonds and obligations executed by purchasers of stock shall be kept and filed in the Auditor's office.

§ 10. That the Franklin circuit court shall have jurisdiction of all suits that may be brought therein by said commissioners, to coerce the payment of any bond or obligation which may be executed under the provisions of this act; and also to enforce or foreclose any and all liens which may be retained to secure the same: *Provided, however*, That no sale of stock shall be made under the provisions of this act until a careful estimate of the saleable value of all the stock owned by the State in each of the several roads in which the State is interested shall have been made by the Commissioners of the Sinking Fund, and a minimum price fixed upon the stock in each, below which no sale shall be made; and which price shall be such as to

insure to the State the realization of at least two hundred thousand dollars for her entire property in turnpike roads: *And provided further*, That the provisions of this act shall not annul, nor in any way impair, an act, entitled "An act to amend an act incorporating the Columbia and Burksville Turnpike Road Company," approved February 16, 1866.

§ 11. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

John G. Carlisle,	Joseph Gardner,	E. D. Standeford,
W. H. Chelf,	William Johnson,	Oscar Turner,
John B. Clarke,	John W. Johnson,	H. A. Tyler,
Harrison Cockrill,	D. Y. Lyttle,	W. L. Vories,
Wm. L. Conklin,	W. H. Payne,	Ben. J. Webb,
G. W. Connor,	K. F. Prichard,	Emery Whitaker,
Lyttleton Cooke,	I. A. Spalding	Thos. Wrightson—22.
J. H. Dorman,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	R. A. Burton,	J. B. Hayden,
Robert Boyd,	J. Q. Chenoweth,	A. G. Talbott—8.
A. K. Bradley,	Edwin Hawes,	

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to require railroad companies to keep open their ticket offices during one hour immediately next before the departure of their trains.

An act for the benefit of the State House of Reform.

Mr. Webb, from the select committee appointed under a resolution directing ascertainment of the probable cost of the warehouse or warehouses recommended to be built in the report of the Committee on the Penitentiary lately made to the Senate, presented the report of said select committee, accompanied with plan and specifications.

Which was received, read, and, with plan and specifications, referred to the Committee on the Penitentiary.

Mr. Spalding, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest,

Reported the same, with an amendment as a substitute for said bill.

Ordered, That said bill and amendment be printed, and made the special order of the day for Tuesday next, February 28th.

The Senate, according to order, took up for consideration a bill, entitled

A bill to require railroad companies in this State to pay an *ad valorem* tax for county purposes.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter when any county in this State shall cause an *ad valorem* tax to be levied upon the property-holders of such county, for the purpose of erecting, repairing, or improving public buildings of the county, such as court-houses, jails, or clerks' offices, and any railway company owns property in such county, a like tax shall be assessed and collected on all the property owned by such railway company or companies within the limits of such county: *Provided*, The rolling stock of such companies shall not be subjected to such taxation.

§ 2. This act shall take effect from its passage.

Mr. Tyler moved the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the property of any railroad company in this Commonweaith shall be subject to the same *ad valorem* tax for county purposes as other property now subject by law, and shall be assessed and collected in the same manner: *Provided*, The rolling stock of such companies shall not be subjected to said tax.

§ 2. In making the assessment of the road bed of said companies, they shall be valued at $15,000 per mile.

§ 3. This act shall take effect from its passage.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Webb and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. B. Hayden,	Oscar Turner,
Robert Boyd,	W. H. Payne,	H. A. Tyler,
A. K. Bradley,	A. G. Talbott,	Emery Whitaker—10.
Edwin Hawes,		

Those who voted in the negative, were—

John G. Carlisle,	Lyttleton Cooke,	I. A. Spalding,
W. H. Chelf,	J. H. Dorman,	E. D. Standeford,
John B. Clarke,	Joseph Gardner,	W. L. Vories,
Harrison Cockrill,	Wm. Johnson,	Ben. J. Webb,
Wm. L. Conklin,	John W. Johnson,	Thos. Wrightson—17.
G. W. Connor,	D. Y. Lyttle,	

Mr. Turner moved the following amendments to said bill, viz:

1. Strike out the words "such as court-houses, jails, or clerks' offices," and insert in lieu thereof the words "or the erection of bridges on county roads."

2. Add, as an additional section, these words: "That in assessing the property of the railroad companies for such purposes, the track and road-bed shall be assessed at $12,000 per mile.

The question being taken on the adoption of said amendments, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Hayden, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	J. B. Hayden,	A. G. Talbott,
W. H. Chelf,	John W. Johnson,	H. A. Tyler,
G. W. Connor,	W. H. Payne,	Emery Whitaker—11.
J. H. Dorman,	I. A. Spalding,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	Oscar Turner,
Jno. G. Carlisle,	Edwin Hawes,	W. L. Vories,
John B. Clarke,	William Johnson,	Ben. J. Webb,
Harrison Cockrill,	D. Y. Lyttle,	Thos. Wrightson—16.
Wm. L. Conklin,		

So said bill was rejected.

The Senate, according to order, took up for consideration a bill, entitled

A bill to establish a chancery court for the counties of Campbell and Kenton.

Which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established a court of record, to be styled the chancery court for the counties of Campbell and Kenton, which shall have a seal and clerk in each county, and be held by one judge, to be styled the chancellor of said counties. having all the qualifications of a judge of the circuit court of this State, who shall be elected by the qualified voters of said counties at the same time, in the same manner, and for the same term, as judges of the circuit courts; and in causes within its jurisdiction it shall have all the powers, rights, privileges, and immunities that circuit courts now have in like cases, and be governed by the Code of Practice in civil cases, and the several amendments thereto, except so far as the practice in said chancery court shall be herein otherwise regulated: *Provided*, That the first chancellor shall be appointed by the Governor, and hold his office until the August election, 1871, and until the chancellor then elected shall be commissioned and qualify; and the chancellor elected at said August election, 1871, shall hold his office until the end of the present term of circuit judges.

§ 2. The chancellor shall be commissioned by the Governor, and shall receive the same salary as may, from time to time, be payable to judges of the circuit courts of this State, to be paid in like manner, and which may be increased, but not diminished, during the official term.

§ 3. There shall be a seal for said court for each of said counties, to be provided as seals for circuit courts; it shall have the arms of the Commonwealth, and the words "chancery court" and the name of the county engraved thereon.

§ 4. The clerk of the circuit court for each of said counties for the time being shall be *ex-officio* clerk of said chancery court in his county, and shall, in his official acts as clerk of the chancery court, be so styled; and he may, with the consent of said chancery court, appoint and qualify deputy clerks thereof.

§ 5. It shall be the duty of the sheriff and other county officers in each of said counties to execute process and orders for, and attend on, said chancery court, in the same manner as they are now required to perform like services for the circuit courts; and they and the clerk shall be responsible upon their official bonds for all breaches of duty connected with said chancery court; and all process and orders of the said chancery court to other counties in this State shall be executed under like responsibilities by the ministerial officers of said counties.

§ 6. The chancellor shall be a conservator of the peace, and shall have power to grant injunctions, orders of arrest, attachments, restraining orders, and other provisional remedies, and to issue writs

of *habeas corpus*, and to hear and determine the same; and to administer oaths in like manner with judges of the circuit courts, and in all causes in the chancery court may do such things out of court as circuit judges may do in like causes pending in the circuit courts.

§ 7. The said chancery court shall have exclusive jurisdiction in each of said counties of all causes by equitable proceedings where the circuit courts have heretofore had jurisdiction, and concurrent with the circuit courts in writs of mandamus and prohibition, and summary proceedings against public officers and attorneys at law; and shall have like power and authority with the circuit court to enforce its judgments, decrees, and orders, and to punish contempts of its authority. It shall have exclusive jurisdiction in said counties of appeals, where the circuit court now has, from inferior tribunals, of all causes of exclusively equitable cognizance; and to hear and determine all causes by ordinary proceedings which may be transferred to said chancery court from the circuit court of either of said counties, wherein the judge of the circuit court cannot properly preside; and to empannel juries to try the same, and such issues of fact in any suit in equity pending before it, as may be directed to be tried by ordinary proceedings; and to summon and compel the attendance of witnesses in all cases and motions where oral evidence may be admissible: *Provided*, That any action or proceeding in said chancery court, wherein the chancellor cannot properly preside, shall be transferred to the circuit court for the proper county, which shall then have jurisdiction of the same; and in no instance shall a special judge be elected to try such cause unless it shall also appear that the circuit judge is also disqualified from presiding therein; nor shall a special judge of said chancery court be elected, where the chancellor is absent or unable, from any cause, to be present and preside, unless it shall appear that a circuit judge cannot be obtained to preside, and that the business is of a pressing nature; and any circuit judge may preside in said chancery court in case of the absence or inability of the chancellor.

§ 8. No ordinary action, except as before provided, shall be commenced or prosecuted in said chancery court; and if any such action or proceeding be commenced in said court, the court shall, upon the proper motion, order the same to be transferred at the cost of the plaintiff to the circuit court of the proper county; but if judgment shall be rendered in any such action, and the error as to the kind of proceedings adopted shall have been waived, as provided in section twelve of the Civil Code of Practice, such judgment shall nor be vacated on the ground of such error, but be enforced as if the same were rendered in the circuit court.

§ 9. The said chancery court may make such rules and regulations as it may deem best for the dispatch of business, not contrary to law, and may enforce the same. The first three days of any term of said court may be devoted to calling over the appearances and making up issues, and causes and motions shall be heard at such times as the court may fix, unless for any reason the same may be passed or continued by agreement or for cause. All causes shall be docketed in

the order in which they may be instituted, and days shall be fixed by the court for trial of ordinary issues and actions in ordinary proceedings, which may be transferred from the circuit court; and the court may, by rule, require counsel to file briefs of authorities and points relied on at least one day before the hearing of any cause which may be contested.

§ 10. The said chancery court shall appoint and may remove its own master commissioner and receiver in each county, under the regulations prescribed by law in case of such officers, and may permit such master to appoint deputies; and the court may also, when in its judgment it shall be proper, appoint special commissioners and receivers, under the regulations prescribed by law. Examiners to take depositions in each of said counties shall also hereafter be appointed by said chancery court.

§ 11. The rules of evidence in said chancery court shall be the same as in like cases in the circuit courts; but the court may, in cases where the parties consent, or justice may demand, or where reasonable notice shall have been given to the opposite party, by filing the same in open court and lodging it among the papers in the cause, hear oral evidence on the trial of any action or proceeding in equity, and shall have power to summon and compel the attendance of witnesses for the purpose of testifying in such cases; and such evidence, and all exceptions thereto, may be made part of the record by bills of evidence and exceptions as now provided by law in ordinary cases.

§ 12. The record books and necessary furniture for the clerks' offices of said chancery court shall be furnished as in case of circuit courts; and the cities of Newport and Covington shall each be required to prepare a fire-proof room, adjacent to the office of the circuit court clerk in each of said cities, to keep the records and papers of the said chancery court, and the same shall also be the office of the chancellor and of the master commissioner and clerk of said chancery court.

§ 13. The said chancery court shall be held at the usual places of holding circuit courts in the cities of Newport, in Campbell county, and Covington, in Kenton county, and terms thereof may be held, when ordered by the chancellor, at Alexandria, in Campbell county, and Independence, in Kenton county: *Provided*, That the chancellor may hear causes and motions specially at his office in each county, or at Chambers, and no cause shall be entered as submitted until the same shall have been fully argued; and upon hearing a cause at any other place than the regular place of holding said chancery court, the chancellor may direct the clerk, in writing, to enter the same submitted, and it shall be so entered.

§ 14. Immediately after the chancellor first appointed shall have been commissioned and qualified, he and the circuit judge for said counties of Campbell and Kenton shall meet, examine the dockets, and jointly direct, by specification in writing, the transfer of causes from the circuit court in each of said counties to the chancery court, and the clerk shall transfer the same accordingly, and file the said

direction in the office of the clerk of the circuit court, and a certified copy of the same in the office of the clerk of the chancery court. All suits in equity, pending and undetermined in the circuit court at said time in which the chancellor can properly preside, shall, by said direction, be transferred as aforesaid, as well as all ordinary actions pending, in which the circuit judge cannot preside, unless it shall appear in any case, by ordinary proceedings, the chancellor cannot properly preside therein; and the chancery court shall have jurisdiction of all cases so transferred, and the circuit court shall retain jurisdiction of all cases not so transferred: *Provided*, That no cause in equity, pending in the circuit court in which said court may have made orders, or rendered judgments or decrees, in whole or in part, settling the rights of parties, and which have been retained on the docket for future proceedings and final disposition, shall be so transferred, unless the circuit judge cannot properly preside therein.

§ 15. Any cause or proceeding may be transferred from the circuit to the chancery court, or from the chancery court to the circuit court, by the consent of the parties, filed in writing, or entered upon the record of either; and in relation to all transfers from the circuit to the chancery court, and all bills or petitions of review, or in the nature thereof, or to vacate judgments in equity causes, the provisions of the second section of an act, entitled "An act to amend an act, entitled 'An act concerning the Louisville Chancery Court,'" approved March 7th, 1854, shall apply to the chancery court hereby established.

§ 16. The first term of the said chancery court for Campbell county shall be held in the city of Newport, commencing on the second Monday in March, 1871; and for the county of Kenton in the city of Covington, on the fourth Monday in the same month, and each term shall continue as many juridical days as may be necessary, so as not to conflict with any other regular term of said court; and at each of said terms the chancellor shall fix the future terms of said court for the county, and cause his orders in relation thereto to be entered of record and published in such manner as he may direct: *Provided*, That a regular term of said court shall be held in each of said counties in each month of the year except the months of July and August, which shall be discretionary with the court; and the regular terms may be changed by the court by an order of record, entered at the January term in each year, to take effect sixty days thereafter: *And provided*, That the chancellor may order special terms and extend terms, as in case of circuit courts.

§ 17. When juries shall be necessary in said chancery court, the court shall direct venires to issue to the sheriff, or other proper officer, to summon the same, and they shall be summoned accordingly; and the court may make orders for the payment of jurors who have been empanneled and served more than one day, and such jurors shall be paid accordingly by the Trustee of the Jury Fund: *Provided*, That in making such orders the first day of service shall be excluded.

§ 18. The said chancery court shall have power to allow and certify to the Auditor all claims against the Treasury of this State connected with said court.

§ 19. The city councils of the cities of Covington and Newport are hereby authorized and empowered to allow and pay to the chancellor of said court such annual compensation, in addition to that hereinbefore provided for, as such councils may respectively deem just and proper; but such additional compensation shall not be diminished during the term for which any chancellor shall have been elected or appointed.

§ 20. That this act shall take effect from and after its passage.

Mr. Carlisle moved the following amendments to said bill, viz:

After the word "Kenton," in the first section, insert the words "and Bracken."

Amend the first section by striking out after the words "shall be," down to the words "1871." Where they last occur, and in lieu thereof, insert the words "elected at the May election."

Strike out all of the tenth section down to the word "examiners," and in lieu thereof insert the following: "The present master commissioners in said counties shall remain in office for the terms for which they were respectively appointed, unless sooner removed according to law, and shall be master commissioners of said chancery court; but they shall execute new bonds, with surety, in said court."

After the words "Kenton county," where they first occur in the thirteenth section, insert the words, "and Brookville, in Bracken county."

Amend the sixteenth section, by striking out the same down to the words "and provided," and inserting in lieu thereof these words: "The regular terms of said court shall be held as follows: in the county of Kenton, commencing on the third Mondays in May, August, November, and February, at Covington; and in the county of Campbell on the first Mondays in July, October, January, and April, at Newport; in the county of Bracken on Tuesday after the first Monday in May and November; and each term shall continue as many juridical days as may be necessary to complete its business, so as not to conflict with any other regular term of said court; and the regular terms of said court may be changed by the court by an order of record, entered at the February term in Kenton, and the January term in Campbell, and the May term in Bracken county, to take effect more than sixty days thereafter."

In the sixteenth section, strike out the words "and extend terms."

Which amendments were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	G. W. Connor,	E. D. Standeford,
Robert Boyd,	J. H. Dorman,	A. G. Talbott,
A. K. Bradley,	Joseph Gardner,	Oscar Turner,
Jno. G. Carlisle,	J. B. Hayden,	H. A. Tyler,
W. H. Chelf,	Wm. Johnson,	W. L. Vories,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
John B. Clarke,	D. Y. Lyttle,	Emery Whitaker,
Harrison Cockrill,	W. H. Payne,	Thos. Wrightson—26.
Wm. L. Conklin,	I. A. Spalding,	

In the negative, Edwin Hawes—1.

Resolved, That the title of said bill be amended to read,

An act to establish a chancery court for the counties of Campbell, Kenton, and Bracken.

Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to repeal in part and amend an act, entitled "An act to punish certain trespasses in Jefferson, Scott, Mason, Kenton, Campbell, and Woodford counties,"

Reported the same with amendments.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 6 of an act, entitled "An act to punish certain trespasses in Jefferson, Scott, Mason, Kenton, Campbell, and Woodford counties" be, and the same is hereby, repealed; and the provisions of said act, and the act to amend the same, approved March 8th, 1862, be extended to all the counties in the Commonwealth.

§ 2. This act shall take effect and be in force from and after its passage.

The amendments proposed by the committee are as follows, viz:

1. Add to the first section these words: "*Provided*, That nothing herein shall be construed to affect the penalty or alter the provisions of chapter 28, of the Revised Statutes, when the prosecution is by indictment."

2. Strike out second section, and in lieu thereof insert, "This act shall take effect in ninety days after its passage."

Which amendments were adopted.

Mr. Wm. Johnson moved to amend said bill by adding the following as an additional section, viz:

This act shall not apply to the counties of Nelson, Spencer, Shelby, Breckinridge, Grayson, Edmonson, Calloway, Hickman, Fulton, Graves, Hopkins, Daviess, and Hancock.

Mr. Turner moved the following amendment to said amendment, viz:

Add thereto the words, "and all the counties west of the Tennessee river, and the counties of McLean, Ohio, and Butler."

Which was adopted.

The question was then taken on the adoption of Mr. Johnson's amendment as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. William Johnson and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Holt),	J. B. Hayden,	E. D. Standeford,
W. H. Chelf,	W. H. Payne,	W. L. Vories,
J. H. Dorman,	I. A. Spalding	Ben. J. Webb—10.
Joseph Gardner,		

Those who voted in the negative, were—

A. K. Bradley,	William Johnson,	H. A. Tyler,
John B. Clarke,	John W. Johnson,	Emery Whitaker,
Wm. L. Conklin,	A. G. Talbott,	Thos. Wrightson—11.
Edwin Hawes,	Oscar Turner,	

So said bill was disagreed to.

And then the Senate adjourned.

SATURDAY, FEBRUARY 25, 1871.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Henry B. Wiseman, of Estill county.

An act for the benefit of W. W. Montague.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same.'"

2. An act for the benefit of P. J. Sheeran, of Newport.

3. An act for the benefit of R. W. Stringer, of Livingston county.

4. An act for the benefit of Elijah Evans, of Jessamine county.

5. An act for the benefit of Knox county.

6. An act to amend the charter of the city of Covington.

7. An act to incorporate the Farmers' and Traders' Bank of Shelbyville.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Railroads; the 2d and 6th to the Committee on the Judiciary; the 3d and 4th to the Committee on Finance; the 5th to the Committee on Courts of Justice; and the 7th to the Committee on Banks.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled resolutions, which originated in the House of Representatives, of the following titles, viz:

Resolution in relation to the removal of political disabilities.

Resolution in relation to firing salute on the 22d February.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to amend the charter of the town of Wyoming.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

A bill to amend an act, entitled "An act to incorporate the Gaylord Iron and Manufacturing Company," approved March 16, 1869.

By same—

A bill to amend the charter of the town of Bethel.

By same—

A bill in relation to the town marshal of Hartford, in Ohio county.

By same—

A bill to change the time of holding the quarterly and county courts in the county of Green.

By same—

A bill for the benefit of the Mercer county court.

By same—

A bill to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes."

By same—

A bill for the benefit of the trustees of the town of Shelbyville.

By same—

A bill to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868.

By Mr. Clarke, from the Committee on Education—

A bill to incorporate and endow Graves County Female Seminary.

By same—

A bill to charter the Edgeworth Institute of Learning, in Lexington, Fayette county.

By Mr. Chenoweth, from the Committee on Internal Improvement—

A bill to amend an act, entitled "An act to incorporate the Harrodsburg, Duncanville, and Chaplaintown Turnpike Road Company."

By same—

A bill for the benefit of Mercer county.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill for the benefit of Kate Butler, wife of James L. Butler.

By same—

A bill to amend an act, entitled "An act to tax incomes on United States bonds," approved March 8th, 1867.

By same—

A bill to provide for payment for the books procured under the act approved March 21st, 1870, entitled "An act regarding sheriffs in the Commonwealth of Kentucky."

By same—

A bill to authorize the late judge of the Kenton county court to enter and sign certain judgments, orders, and returns, and to legalize the same.

By same—

A bill to incorporate the Kentucky Statesman Printing Company.

By same—

A bill for the benefit of George Mantle, of Blandville.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act to authorize R. S. Mosely to make a cross-index to the suits of the Ohio county quarterly court.

By same—

An act to legalize the acts of Frank Walton and J. B. Finnell, deputy clerks of A. B. Parker, clerk of the Boone county court.

By same—

An act to change the time of holding the Ohio county quarterly court.

By Mr. Clarke, from the Committee on Education—

An act to amend an act, entitled "An act to charter the Stanford Female Seminary," approved February 26th, 1869.

By same—

An act to authorize the city of Dayton, in Campbell county, to establish common school system.

By same—

An act to authorize the trustees of common school district No. 1, in Logan county, to levy and collect a tax for the purpose of erecting common school buildings in said district.

By same—

An act for the benefit of school district No. 8, in Calloway county.

By Mr. Wrightson, from the Committee on Internal Improvement—

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Company.

By Mr. Cooke, from the Committee on the Judiciary—

An act in relation to recording of deeds made under order of the Louisville chancery court.

By Mr. Conklin, from same committee—

An act to amend the town charter of Tompkinsville, in Monroe county.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to amend the act to incorporate the town of Bellevue, in Campbell county.

By same—

An act to define and extend the corporate limits of the city of Dayton, in Campbell county.

By same—

An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling.

By same—

An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

By Mr. Cooke, from same committee—

An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.

With amendments to the last two named bills, which were concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cooke, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to establish C. L. S. Mathews as a citizen of Cumberland county,

Reported the same with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act defining the boundary line between the counties of Cumberland and Adair.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds;"

An act regulating appeals from the police court of Bardstown;

An act for the benefit of Margaret Grief, of McCracken county;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act for the benefit of James Davis, of Knox county;"

An act to amend an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad Company," approved February 1, 1868;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, in Butler county, and within one half mile of the corporate limits of said town ;

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Mt. Washington, Bullitt county;

Resolution requesting the Insurance Commissioner to make investigation of the affairs of certain insurance companies;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Payne—

1. A bill to change the time of holding the Warren quarterly court.

On motion of same—

2. A bill to incorporate the town of Smith's Grove, in Warren county.

On motion of Mr. Chelf—

3. A bill for the benefit of John Moore, jailer of Green county.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on the Judiciary the 2d, and the Committee on Finance the 3d.

Mr. Turner moved to reconsider the vote by which the Senate, on yesterday, rejected a bill, entitled

A bill to require railroad companies in this State to pay an *ad valorem* tax for county purposes.

Which motion was entered only.

The following petitions were presented, viz:

By Mr. Payne—

1. The petition of Commissioners of Bowling Green Water-works Company, asking the amendment of the charter thereof.

By Mr. Whitaker—

2. The petition of sundry citizens of Lewis county, praying the repeal of an act to define the line between the counties of Lewis and Carter, approved March 9, 1868.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on Courts of Justice.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence,

Reported the same, with the expression of opinion that it ought not to pass.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to prohibit stock from running at large in the town of Booneville, Owsley county, or within one half mile thereof,

Reported the same, with the expression of opinion that it ought not to pass.

The first named bill was placed in the orders of the day.

And the question was then taken on ordering the last named bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Webb, from the Committee on Agriculture and Manufactures, asked that said committee be discharged from the further consideration of a leave to bring in a bill, entitled

A bill for the preservation of sheep in Harrison county.

Which was granted.

Mr. Whitaker, from the Committee on Banks and Insurance, asked that said committee be discharged from the further consideration of leave to bring in a bill, entitled

A bill to incorporate the Central Insurance Company.

Which was granted.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to protect owners of land in Carroll, Hardin, and Gallatin counties, from trespassers,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Vories then moved to reconsider the vote by which said bill was passed.

Which motion was entered only.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Farmers' Club of Shelby county,

Proposed to report the same without amendment.

Whereupon, the Speaker announced that it was not in order, under the rule of the Senate, No. 81, to entertain said bill.

So said bill was not considered.

Mr. Whitaker, from the Committee on Banks and Insurance, asked that said Committee be discharged from the further consideration of a leave to them referred to bring in a bill, entitled

A bill to amend the charter of the Kentucky Masonic Mutual Life Insurance Company.

The question being taken on discharging said committee, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Payne, were as follows, viz:

Those who voted in the affirmative, were—

Wm. L. Conklin, Lyttleton Cooke, Emery Whitaker—3.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Harrison Cockrill,	A. G. Talbott,
A. K. Bradley,	J. H. Dorman,	Oscar Turner,
Jno. G. Carlisle,	Joseph Gardner,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	A. L. McAfee,	Thos. Wrightson—17.
John B. Clarke,	W. H. Payne,	

Whereupon, Mr. Whitaker, from said committee, reported, in conformity to said leave, a bill, entitled

A bill to amend the charter of the Kentucky Masonic Mutual Life Insurance Company.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That each person, upon application for a policy in said company, shall pay into the treasury of said company, according to their respective ages, as follows, to-wit: From the age of twenty-one years to thirty years, $5; from the age of thirty years to forty years, $10; from the age of forty years to fifty years, $15; from the age of fifty years to sixty years, $20; which amounts, when received into said treasury, to become a permanent fund of the company; which, with the other qualifications prescribed, shall entitle him to membership for life, or during good behavior, but may be expelled for any disgraceful or immoral conduct, or violation of such by-laws as may not be inconsistent with this charter.

§ 2. The number of members may be increased to and retained five thousand; and the membership fees paid into the treasury by each for a permanent fund may be invested in such stocks, property, or loans as the company, by its board, may direct.

§ 3. Upon the payment of the membership fees named in the first section of this act, the company shall cause such certificate of membership to be given to the member paying it, upon the plan of mutual

life insurance policy, with stipulation according to the terms of this charter, and according to such by-laws as they may make and publish, not inconsistent herewith.

§ 4. When the membership of said company shall reach one thousand members, the company, through their directors, shall have the power to increase the membership fee twenty-five (25) per cent., and when it shall reach twenty-five hundred members, they may increase the membership fee mentioned in section first of this act fifty or one hundred per cent.

§ 5. All applicants for membership shall be examined by some practicing physician, who shall be appointed by the company or its authorized agent, who shall be entitled to a fee of two dollars, to be paid by the applicant, if he is accepted as a member of said company; and if the applicant is rejected, the fee to be paid by the company. The medical examiner shall write his certificate on the application, giving his opinion, as medical examiner, as regards the health and condition of the applicant, and whether it would be safe to accept the applicant for membership.

§ 6. All applications for membership shall be accompanied with the membership fee, together with one dollar additional for policy fee.

§ 7. This act to take effect from and after the first day of March, 1871.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooke and Payne, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	A. G. Talbott,
W. H. Chelf,	William Johnson,	Oscar Turner,
J. Q. Chenoweth,	John W. Johnson,	H. A. Tyler,
John B. Clarke,	D. Y. Lyttle,	W. L. Vories,
Harrison Cockrill,	A. L. McAfee,	Ben. J. Webb,
Wm L. Conklin,	W. H. Payne,	Thos. Wrightson—21.

Those who voted in the negative, were—

John G. Carlisle,	Edwin Hawes,	Emery Whitaker—4.
Lyttleton Cooke,		

Resolved, That the title of said bill be as aforesaid.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

State of Kentucky, Executive Department,
Frankfort, February 25, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

K. F. Prichard, Boyd county.
D. H. French, Ohio county.
John H. Allen, McCracken county.
H. Bostwick, Kenton county.
W. P. Talbott, Fayette county.
D. G. Mitchell, Taylor county.
Joseph Brinker, Henry county.
S. Creed Cardwell, Mercer county.
A. P. Grover, Owen county.
John Young Brown, Henderson county.
Wm. E. Bennett, Henderson county.
J. H. McCullogh, Henderson county.
Jno. C. Herndon, Jefferson county.
Reuben T. Durrett, Jefferson county.
Saml. A. Atchison, Jefferson county.
Alex P. Humphrey, Jefferson county.
Geo. M. Davie, Jefferson county.
Theodore Bennecke, Jefferson county.
B. H. Allen, Jefferson county.
Wilmot R. Higgins, Jefferson county.
W. W. Bradley, Jefferson county.
James Harlan, Jefferson county.
John M. Farrar, Jefferson county.
Anton Kutzler, Jefferson county.

Very respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

Mr. Cooke, from the Committee on the Judiciary, reported, without amendment, a resolution heretofore offered by Mr. Vallandingham, to them referred.

Which was read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be authorized to appoint a special agent to collect any and all claims due from the Federal Government to the State of Kentucky for tolls and transportation over Green and Barren rivers during the war; and that a special contract be made by the Governor with such agent; and the compensation for his services shall be paid out of the amounts received on the above named claims; and that such money, when collected, be paid into the Treasury of this Commonwealth.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

Mr. Carlisle, from the Committee on the Judiciary, presented a report in relation to the attendance of witnesses before said committee.

Which was received, the reading dispensed with, and referred to the Committee on Finance.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the city of Dayton, in Campbell county, and for other purposes,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and the title thereof be amended to read,

An act to amend the charter of the city of Dayton, in Campbell county.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a resolution from the House of Representatives, entitled

Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill,

Reported the same with an amendment.

Said resolution was read as follows, viz:

WHEREAS, It appears that a bill authorizing the city of Cincinnati, through her trustees, under the provisions of an act of the Ohio Legislature, known as the "Ferguson Bill," to construct a line of railway across the State of Kentucky, has been introduced into the Senate of the United States; and whereas, the passage of the bill by the Congress of the United States would be an interference with the rights of this State to control its domestic affairs, and to grant acts and powers of incorporation to all companies and persons to exercise corporate privileges and powers within the limits of the State of Kentucky; and whereas, a failure on the part of this General Assembly to protest against Congressional interference in this question might be construed as a tacit indorsement of such interference, which would result in the establishment of a precedent at once repugnant to the people of this Commonwealth, and at war with the reserved rights of the States; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators are instructed, and our Representatives are requested, to oppose the passage of said bill; and the Secretary of State is directed to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

Said amendment is as follows, viz:

Strike out all before the word "resolved," and insert the following: Whereas, It appears that a bill to authorize the city of Cincinnati, by her trustees appointed under the provisions of an act of the Ohio Legislature, known as the "Ferguson Bill," to construct a line of railway across the State of Kentucky, against the consent of the Legislature thereof, is now pending in the Senate of the United States; and whereas, it is the deliberate opinion of this General Assembly that such an interference, by any department of the Federal Government, with the territory and jurisdiction of this Commonwealth, is unwarranted by the letter or spirit of the Constitution of the United States, and would be subversive of the fundamental principles upon which the government was established; and whereas, a failure on the part of the General Assembly to protest against the proposed interference might be construed as a tacit approval of the same, or acquiescence therein; therefore,

Mr. Wrightson then moved the following amendment as a substitute for said resolution and proposed amendment, viz:

Whereas, It appears that a bill authorizing the city of Cincinnati, through her trustees, under the provisions of an act of the Ohio Legislature, known as the "Ferguson Act," to construct a line of railway from the said city of Cincinnati across the State of Kentucky, and to and through the State of Tennessee, has been introduced into Congress; and whereas, the right to acquire the right of way, and to construct thereon the said railway in the State of Kentucky, has been denied to said trustees by the Kentucky Legislature; and whereas, the people of the great central belt of the State proposed to be traversed by said railway are those most directly interested in the evils that are prudentially feared may result from the construction of the said line of railway, whether constructed under State or National sanction; and whereas, the people of Central Kentucky, as well as the people of the States south of us, and the people of Ohio, have petitioned Congress to pass the said bill as introduced by Senator Sherman; and whereas, Congress, inherent to it, as the sovereign National Government, and under the following express provisions of the Constitution, possesses the power to "provide for the common defense and general welfare of the United States; to regulate commerce with foreign nations, and among the several States; to establish post-offices and post-roads; and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers;" and whereas, the State of Kentucky has, not only by the message of Governor Thomas Metcalfe, sent to the Legislature December 7, 1830, declared that "I shall not attempt here to discuss the constitutional power of Congress to make or construct public roads. It would surely be an useless labor. The State of Kentucky, by legislation in all its solemn forms, and by resolutions equally solemn, has asserted and reasserted that power, and declared that principle with almost entire unanimity;" and by the resolutions of Mr. Beatty, adopted February 8, 1828, and by many other public

acts have so declared; and whereas, the Supreme Court of the United States, by Chief Justice Marshal (in 9 Wheaton, Gibbons vs. Ogden), has decided that "the power to regulate commerce, so far as it extends, is exclusively vested in Congress;" and that "commerce among the States cannot stop at the external boundary line of each State, but may be introduced into the interior;" and that "the sense of the nation on this subject is unequivocally manifested by the provisions made in the laws for transporting goods by land between Baltimore and Providence, between New York and Philadelphia, and between Philadelphia and Baltimore; and as is said by Justice Johnson, in the same case, "commerce, in its simplest signification, means an exchange of goods: but, in the advancement of society, labor, transportation, intelligence, care, and various mediums of exchange, become commodities, and enter into commerce; the subject, the vehicle, the agent, and their various operations, become the objects of commercial regulation;" now, therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That in the exercise of national sovereignty, and in the power to "regulate commerce with foreign nations, and among the several States," to "establish post-roads," to provide for the "general welfare of the United States," and "to make all laws necessary and proper," the National Congress has the right to construct, or cause to be constructed, any such avenue for commerce as the one prayed for.

2. *Resolved*, That we leave to the good sense and sound discretion of our Senators and Representatives in Congress the policy of advocating the aforesaid bill, as they shall answer to their respective constituencies.

The question being taken on the adoption of said amendment as a substitute, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Bradley, were as follows, viz:

In the affirmative, Thos. Wrightson—1.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	W. H. Payne,
A. K. Bradley,	J. H. Dorman,	E. D. Standeford,
John G. Carlisle,	Joseph Gardner,	A. G. Talbott,
W. H. Chelf,	Edwin Hawes,	Oscar Turner,
J. Q. Chenoweth,	J. B. Hayden,	H. A. Tyler,
John B. Clarke,	William Johnson,	W. L. Vories,
Harrison Cockrill,	John W. Johnson,	Ben. J. Webb,
Wm. L. Conklin,	A. L. McAfee,	Emery Whitaker—24.

The question being then taken on the adoption of the amendment proposed by the committee, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said resolution as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Mr Speaker (Holt),	Lyttleton Cooke,	E. D. Standeford,
A. K. Bradley,	J. H. Dorman,	A. G. Talbott,
John G. Carlisle,	Joseph Gardner,	Oscar Turner,
W. H. Chelf,	Edwin Hawes,	H. A. Tyler,
J. Q. Chenoweth,	J. B. Hayden,	W. L. Vories,
John B. Clarke,	William Johnson,	Ben. J. Webb,
Harrison Cockrill,	John W. Johnson,	Emery Whitaker—23.
Wm. L. Conklin,	W. H. Payne,	

In the negative, Thos. Wrightson—1.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky.

Ordered, That the further consideration of said bill be postponed until Wednesday next, March 1st.

And then the Senate adjourned.

MONDAY, FEBRUARY 27, 1871.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company.

An act to change the western boundary of the city of Louisville.

An act to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21, 1868.

An act to amend an act, entitled "An act to incorporate the Ohio Valley White Lead and Manufacturing Company, of Louisville," approved January 15, 1870.

An act to amend chapter 103 of the Revised Statutes, title "Turnpike and Plank Roads."

An act to amend the 2d and 3d sections of an act, entitled "An act to establish the Sixteenth Judicial District," approved February 18, 1868, and to regulate the time of holding the circuit courts therein.

With an amendment to the last named bill, which was taken up and referred to the Committee on Courts of Justice.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act concerning the titles of John C. King, H. J. Lewis and brother, and E. H. Bland, to certain real estate formerly owned by Lizardi Brothers, in the city of Louisville, State of Kentucky.

An act to incorporate the Lafayette and New Providence Turnpike Road Company.

An act for the benefit of the town of Tompkinsville, in Monroe county.

An act to abolish the July term of the Mercer circuit court.

An act to repeal an act, entitled "An act for the benefit of Rockcastle county, in relation to roads and passways."

An act to amend the charter of the Dover and Minerva Turnpike Road Company, in Mason county.

An act changing the boundary line between the counties of Laurel and Rockcastle.

An act for the benefit of Nicholas county.

An act to prohibit the sale of intoxicating liquors along the line of certain turnpike roads in Washington county.

An act to amend an act, entitled "An act to alter and amend the road law in Livingston county."

An act for the benefit of the citizens of Boston, in Whitley county.

An act to legalize second day's business of Mercer circuit court, November term, 1870.

An act to authorize Capital Lodge, No. 6, I. O. O. F., at Frankfort, to issue bonds.

An act to provide for the payment of grand and petit jurors of Mercer circuit court, at November term, 1870.

An act to incorporate the Shelbyville and Burk's Branch Turnpike Road Company.

An act to amend the charter of the Newport and Licking Turnpike and Plank Road Company.

And that they had passed bills of the following titles, viz:

1. An act to prohibit the sale of spirituous, vinous, or malt liquors in magistrate's district No. 2, in the county of Franklin.

2. An act for the benefit of the town of Hodgenville, in Larue county.

3. An act to incorporate the Louisville College of Pharmacy.

4. An act authorizing the trustees of the Silver Creek Academy to sell and convey the academy property, with power to reinvest the proceeds of the sale.

5. An act to organize and establish a system of public schools in the city of Owensboro for white children in said city.

6. An act to incorporate the Mill Grove and Paint Lick Creek Turnpike Road Company, in Madison county.

7. An act to incorporate Dreaming Creek Turnpike Road Company, in Madison county.

8. An act to incorporate the Glasgow, Edmonton, and Burksville Turnpike Road Company.

9. An act to further amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

10. An act to change the time of holding the February term of the Marion circuit court.

11. An act for the benefit of W. J. Lisle.

12. An act to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16th, 1870.

13. An act to incorporate the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company.

14. An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company.

15. An act for the benefit of George Roberson, of Casey county.

16. An act to incorporate the town of Casey's Mines, in Union county.

17. An act to amend the charter of Cave City, in Barren county.

18. An act to amend the charter of the Louisville and Nashville Railroad Company.

19. An act establishing an additional magisterial and voting district at Glencoe, in Gallatin county.

20. An act establishing an additional magisterial and voting district at Sparta, in Gallatin county.

21. An act to incorporate the district of Hayfield, in Campbell county.

22. An act for the benefit of Greenville Hill Cemetery, in Woodford county.

23. An act to incorporate the Public Library of Kentucky.

24. An act to amend and reduce into one the acts incorporating the town of Paintsville.

25. An act to amend the charter of the Bethel and Owingsville Turnpike Road Company.

26. An act to amend the charter of the Owingsville and Sherburn Turnpike Road Company.

27. An act to amend the charter of the Owingsville, Sharpsburg, and Bald Eagle Turnpike Road Company.

28. An act authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 22d to the Committee on Religion and Morals; the 2d, 10th, and 11th to the Committee on Courts of Justice; the 3d, 4th, 5th, and 28th to the Committee on Education; the 6th, 7th, 8th, 9th, 12th, 13th, 14th, 25th, 26th, and 27th to the Committee on Internal Improvement; the 15th to the Committee on Finance; the 16th, 17th, and 24th to the Committee on Revised Statutes and Codes of Practice; the 18th to the Committee on Railroads; the 19th and 20th to the Committee on Privileges and Elections; the 21st to the Committee on the Judiciary; and the 23d to the Committee on Agriculture and Manufactures.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Gardner from the Committee on Propositions and Grievances—

A bill for the benefit of the county court of Wolfe county.

By same—

A bill to change the time of holding the county and quarterly courts of Lee county.

By Mr. Boyd, from same committee—

A bill to amend an act, entitled "An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

An act to define and locate the county line between Breathitt and Lee counties, near the store-house of J. & W. R. Crawford.

By same—

An act to amend the charter of the town of Cromwell, in Ohio county.

By same—

An act to amend an act to regulate the sale and storage of illuminating oils, as far as the same applies to Ohio county.

By same—

An act to establish the weight of Rockcastle coal.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, Mr. Gardner was added to the Committee on Enrollments.

Leave was given to bring in the following bills, viz:

On motion of Mr. Payne—

1. A bill to amend the charter of the Warren Deposit Bank.

On motion of Mr. McAfee—

2. A bill for the benefit of O. H. Perry, John D. Scott, and Thos. B. Scott, of the county of Jessamine.

On motion of same—

3. A bill concerning registration in this Commonwealth.

On motion of Mr. Cockrill—

4. A bill to authorize the trustees of the town of Irvine to grant coffee-house license in said town.

On motion of Mr. Fox—

5. A bill in relation to the service of civil process by sheriffs.

On motion of Mr. Conklin—

6. A bill to authorize defendants in equity judgments to replevy the same by executing bond before the clerk of the court.

On motion of Mr. Whitaker—

7. A bill for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Finance the 2d; the Committee on Courts of Justice the 4th and 5th; the Committee on the Judiciary the 6th; the Committee on Internal Improvement the 7th, and that Messrs. McAfee, Standeford, Bradley, Perrin, Gardner, and Payne be requested to prepare and bring in the 3d.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Paducah Hook and Ladder Company;

An act to amend chapter 9 of title 10, of the Civil Code of Practice, entitled "Forcible Entry and Detainer;"

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had

approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act regulating appeals from the police court of Bardstown.

An act for the benefit of Margaret Grief, of McCracken county.

An act to amend an act, entitled "An act to authorize the St. Louis Bertrand Society, of the city of Louisville, to issue mortgage bonds."

The following petitions were presented, viz:

By Mr. Lyttle—

1. The petition of citizens of Harlan county, asking the passage of an act providing for the appointment of jury commissioners from the different political parties for said county.

By Mr. Conklin—

2. The petition of citizens of Grayson county, praying the passage of a law prohibiting the retail of spirituous liquors in said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on Religion and Morals.

Mr. Chenoweth, from the Committee on Military Affairs, to whom was recommitted, with a proposed amendment, a bill, entitled

A bill concerning the Adjutant General,

Reported the same without amendment.

Ordered, That said bill be made the special order of the day for Wednesday next, March 1st.

Mr. Gardner, from the Committee on Propositions and Grievances, reported a bill, entitled

A bill for the benefit of Thomas Cook, James Root, John E. White, and Howell Brewer.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

Whereas, On the — day of ————, 18 , there was a judgment rendered by the Franklin circuit court against Thomas Cook, sheriff of Clay county, for the revenue due from Clay county for the year 1867, with interest and damages, which damages amounted to the sum of three hundred and thirty-eight dollars and ninety-nine cents; and whereas, said judgment, with its interest, cost, and damages, has all been satisfied by cash and sale of lands, the principal part of which has been paid by the sureties of said Cook; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That upon the payment in full into the Treasury of the principal, interest, and cost of said judgment, the damages on said judgment are hereby remitted; and if the same, or any part thereof, have been paid, the Auditor will draw his warrant upon the Treasurer in favor of James Root, John E. White, Howell Brewer, Haywood Gilbert, and William Shelton, for the amount of damages paid by them respectively.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	William Johnson,	A. G. Talbott,
W. H. Chelf,	John W. Johnson,	Oscar Turner,
J. Q. Chenoweth,	D. Y. Lyttle,	H. A. Tyler,
Harrison Cockrill,	A. L. McAfee,	W. L. Vories,
Wm. L. Conklin,	W. H. Payne,	Ben. J. Webb,
Lyttleton Cooke,	Lewis Perrin,	Thos. Wrightson—23
J. H. Dorman,	I. A. Spalding,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Cooke, from the Committee on Railroads—

A bill to authorize the presiding judge of the county court of Ohio county to submit to the voters of said county the question of subscribing stock in certain railroads, and to issue bonds therefor.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend section 465 of the Civil Code of Practice.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be recommitted to the committees reporting them, respectively.

Mr. Cooke, from the Committee on Railroads, reported a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Kentucky Central Railroad Company."

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Hawes moved an amendment to said bill.

On motion of Mr. Talbott,

Ordered, That said bill be recommitted, with the proposed amendment, to the Committee on Railroads.

Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice, asked that said committee be discharged from the further consideration of leave to bring in a bill, entitled

A bill for the benefit of James L. Joplin, of Rockcastle county.

Which was granted.

Mr. Bradley, from the Committee on the Revised Statutes and Codes of Practice, reported a bill, entitled,

A bill to amend section 17, article 2, chapter 56, Revised Statutes, title "Landlord and Tenant."

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 17, article 2, chapter 56, of Revised Statutes, be, and the same is hereby, amended so as to read as follows: Property exempted from execution shall also be exempted from distress or attachment for rent, except the produce of the farm or premises rented.

§ 2. This act shall be in force and effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Holt),	Lyttleton Cooke,	Lewis Perrin,
A. K. Bradley,	Joseph Gardner,	I. A. Spalding,
W. H. Chelf,	Edwin Hawes,	Oscar Turner—11.
Harrison Cockrill,	J. B. Hayden,	

Those who voted in the negative, were—

Robert Boyd,	Wm. Johnson,	H. A. Tyler,
J. Q. Chenoweth,	John W. Johnson,	W. L. Vories,

Wm. L. Conklin, W. H. Payne, Ben. J. Webb,
J. H. Dorman, A. G. Talbott, Thos. Wrightson—12.

So said bill was rejected.

Mr. Wm. Johnson then moved to reconsider the vote by which said bill was rejected.

Mr. Talbott moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. William Johnson and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd, W. H. Payne, W. L. Vories,
J. Q. Chenoweth, A. G. Talbott, Ben. J. Webb,
Wm. L. Conklin, H. A. Tyler, Thos. Wrightson—10.
John W. Johnson,

Those who voted in the negative, were—

Mr. SPEAKER (Holt), J. H. Dorman, Wm. Johnson,
A. K. Bradley, Joseph Gardner, Lewis Perrin,
W. H. Chelf, Edwin Hawes, I. A. Spalding,
Harrison Cockrill, J. B. Hayden, Oscar Turner—13.
Lyttleton Cooke,

The question being then taken on the motion to reconsider, it was decided in the affirmative.

Mr. Talbott moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the negative.

Mr. Cockrill then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

So the question was again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt), Joseph Gardner, Lewis Perrin,
A. K. Bradley, Edwin Hawes, I. A. Spalding
W. H. Chelf, J. B. Hayden, E. D. Standeford,
Harrison Cockrill, William Johnson, Oscar Turner—14.
Lyttleton Cooke, A. L. McAfee,

Those who voted in the negative, were—

Robert Boyd, W. McKee Fox, H. A. Tyler,
J. Q. Chenoweth, John W. Johnson, W. L. Vories,

Wm. L. Conklin, W. H. Payne, Ben. J. Webb,
J. H. Dorman, A. G. Talbott, Thos. Wrightson—12.

Resolved, That the title of said bill be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the Widows' and Orphans' Cemetery Company of Crab Orchard Lodge, No. 108, I. O. O. F.,

Offered to report the same without amendment.

Whereupon, the Speaker announced that, under the rule of the Senate, No. 81, it was not in order to entertain said bill.

So said bill was not considered.

Mr. Wrightson read and laid on the table a joint resolution in relation to the rescue of T. Scroggins from the Franklin county jail.

The rule of the Senate being dispensed with, said resolution was taken up.

On motion of Mr. Wm. Johnson,

Ordered, That said resolution be printed.

On motion, leave of indefinite absence was granted to Messrs. Clarke, Whitaker, and Connor.

Mr. McAfee moved that a committee be appointed, to ask leave of the House of Representatives to withdraw the announcement of the Senate's passage of a bill, originating in the House of Representatives, entitled

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

Whereupon Mr. McAfee was appointed said committee.

Mr. Lyttle moved to reconsider the vote by which the Senate had passed said bill.

Which motion was entered only.

Mr. Turner, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to change and fix the time of holding the common pleas court in McCracken and Ballard counties,

Reported the same with an amendment as a substitute for said bill.

Mr. Cooke moved that the Senate adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Lyttleton Cooke,	William Johnson,	Lewis Perrin—3.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Joseph Gardner,	I. A. Spalding,
Robert Boyd,	Edwin Hawes,	A. G. Talbott,
A. K. Bradley,	John W. Johnson,	Oscar Turner,
W. H. Chelf,	D. Y. Lyttle,	H. A. Tyler,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
Wm. L. Conklin,	W. H. Payne,	Thos. Wrightson—19.
J. H. Dorman,		

Mr. Wrightson then moved to recommit said bill, with the proposed amendment, to the Committee on the Judiciary.

The question being taken thereon, no quorum voted.

On motion, the Senate then adjourned.

TUESDAY, FEBRUARY 28, 1871.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act for the benefit of Gilman Trafton.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the sureties of H. M. Wade, late sheriff of Marshall county, on his revenue bond for the year 1869.

An act for the benefit of inebriates and their relations.

An act to amend the charter of the city of Ludlow.

An act to amend an act, entitled "An act to incorporate the Gaylord Iron and Manufacturing Company," approved March 16, 1869.

An act for the benefit of John C. Broadhead.

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said

officers, and to define their duties, and to fix the fees of the commissioner.

With amendments to the last two named bills, the amendments to the first of which were referred to the Committee on Finance, and of the last were taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of Mt. Washington, Bullitt county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Woodbury, in Butler county.

An act to re-enact an act, entitled "An act to amend the charter of the Owensboro and Russellville Railroad Company," approved February 1, 1868.

An act to amend an act, entitled "An act for the benefit of James Davis, of Knox county."

Resolution requesting the Insurance Commissioner to make investigation of the affairs of certain insurance companies.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

2. An act to authorize the citizens of Knox county to vote a tax for the purpose of constructing public buildings.

3. An act to prohibit the sale of intoxicating liquors in the county of Bullitt.

4. An act to incorporate the Maux Branch Turnpike Road Company.

5. An act to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centreville and Jacksonville Turnpike Roads, as are without gates.

6. An act for the benefit of the Presbyterian Church in the town of Winchester.

7. An act to amend an act incorporating the Northeastern Kentucky Agricultural Association, approved February 22d, 1860, and to legalize the election of officers heretofore, and their acts as such.

8. An act for the benefit of O. C. Bowles and Geo. N. Brown, and their associates, lessees, and vendees.

9. An act for the benefit of James F. Carson, of Rockcastle county.

10. An act for the benefit of Green McCrackin, of Laurel county.

11. An act to regulate the sale of intoxicating drinks within half a mile of South Kentucky Fair Grounds.

12. An act to establish a public school for colored children in the city of Henderson.

13. An act to amend the charter of the city of Henderson.

14. An act for the better organization of public schools in the city of Lexington.

15. An act for the benefit of common school district No. 26 (Carlisle district), in Nicholas county.

16. An act to incorporate the Bank of Maysville.

17. An act to incorporate the Warehouse Banking Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 12th, 14th, and 15th to the Committee on Education; the 2d to the Committee on Propositions and Grievances; the 3d, 6th, and 11th to the Committee on Religion and Morals; the 4th and 5th to the Committee on Internal Improvement; the 7th to the Committee on Agriculture and Manufactures; the 8th and 10th to the Committee on the Judiciary; the 9th to the Committee on Finance; the 13th to the Committee on Revised Statutes and Codes of Practice, and the 16th and 17th to the Committee on Banks and Insurance.

A message was received from the House of Representatives, announcing that they had adopted a resolution, which is as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the resolution heretofore adopted by both Houses for the adjournment of this General Assembly on the 1st day of March next, be, and the same is hereby, rescinded.

On motion of Mr. Lyttle, leave was given to bring in a bill, entitled

A bill to protect ministers of the Gospel and persons going to and returning from places of public worship.

Which was received, and referred to the Committee on Religion and Morals.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21, 1868;

An act for the benefit of Henry B. Wiseman, of Estill county;

An act to change the western boundary of the city of Louisville;

An act to amend an act, entitled "An act to incorporate the Ohio Valley White Lead and Manufacturing Company, of Louisville," approved January 15, 1870;

An act for the benefit of W. W. Montague;

An act to amend chapter 103 of the Revised Statutes, title "Turnpike and Plank Roads;"

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to charter the Stanford Female Seminary," approved February 26th, 1869;

An act for the benefit of school district No. 8, in Calloway county.

An act to authorize the trustees of common school district No. 1, in Logan county, to levy and collect a tax for the purpose of erecting common school buildings in said district;

An act to amend the act to incorporate the town of Bellevue, in Campbell county;

An act to define and extend the corporate limits of the city of Dayton, in Campbell county;

An act to amend the town charter of Tompkinsville, in Monroe county;

An act to change the time of holding the Ohio county quarterly court;

An act to authorize R. S. Mosely to make a cross-index to the suits of the Ohio county quarterly court;

An act to legalize the acts of Frank Walton and J. B. Finnell, deputy clerks of A. B. Parker, clerk of the Boone county court;

An act in relation to recording of deeds made under order of the Louisville chancery court;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature

thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

Mr. Gardner, from the Committee on the Penitentiary, reported a bill, entitled

A bill to provide for the erection of a new warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made the special order of the day for Thursday next, March 2d.

Mr. Vallandingham presented the petition of physicians of Simpson county, asking the passage of a law making physicians' accounts preferred claims, and giving lien for their payment.

Which was received, the reading dispensed with, and referred to a select committee, consisting of Messrs. Vallandingham, Standeford, and Perrin.

The committee appointed on yesterday to withdraw from the House of Representatives the announcement of the Senate's passage of a bill, from the House of Representatives, entitled

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies,

Handed said bill in at the Clerk's desk.

The Senate resumed the consideration of a bill from the House of Representatives, entitled

An act to change and fix the time of holding the common pleas court in McCracken and Ballard counties,

Reported from the Committee on the Judiciary on yesterday, with an amendment as a substitute therefor.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter there shall be four terms each year, of twenty-four juridical days each, of said court, in McCracken county, commencing on the first (1st) Monday in April, June, and December, and the second Monday in September, respectively; and there shall be two terms, of twelve juridical days each, of said court, in

Ballard county, commencing on the second Monday in May and October, respectively; but nothing herein shall be construed to continue said term or terms longer than is necessary.

§ 2. This act to take effect from its passage.

Said amendment reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter there shall be two terms of the court of common pleas in McCracken county, of fifty-four (54) juridical days each, beginning on the second Monday in March and second Monday in September each year.

§ 2. And in the county of Ballard there shall be two terms of said court, beginning on the third Monday in May and the third Monday in November in each year, and shall continue eighteen (18) juridical days each, if the business shall require it.

§ 3. No judgment shall be rendered by said court against any defendant unless he, or some one of the defendants to the action, resides in the county where such judgment is rendered, except when the defendant is a non-resident of this State, or the proceeding is *in rem*.

§ 4. The next term of the McCracken court of common pleas shall begin as now provided by law, and shall continue for thirty-six (36) juridical days, if the business of the court shall require it.

§ 5. All the actions which may be pending in Ballard court of common pleas shall be docketed for the first week of each term of said court.

§ 6. The first section of this act shall take effect from and after 1st day of June next; and the remaining sections of this act shall take effect from and after its passage.

Mr. Cooke moved to amend said amendment by substituting in lieu thereof the following, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter there shall be two terms of the court of common pleas in McCracken county, of fifty-four juridical days each, beginning on the second Monday in March and the second Monday in September in each year.

§ 2. And in the county of Ballard there shall be two terms of said court, beginning on the third Monday in May and the third Monday in November in each year, which shall continue eighteen juridical days each, if the business shall require it.

§ 3. No judgment shall be rendered by said court against any defendant unless he, or some one of the defendants to the action, resides in the county where such judgment is rendered, except when the defendant is a non-resident of this State, or the proceeding is *in rem*.

§ 4. The next term of the McCracken court of common pleas shall begin as now provided by law, and shall continue for thirty-six juridical days, if the business of the court shall require it.

§ 5. All the actions which may be pending in the Ballard court of common pleas shall be docketed for the first week of each term of said court.

§ 6. The salary of the judge of the court of common pleas in McCracken and Ballard counties is hereby fixed at fifteen hundred dollars per annum, from and after the first day of April, 1871. Anything in the act of the General Assembly of this Commonwealth establishing said court, or any subsequent act thereof, regulating the salaries of the judges of the circuit and common pleas and criminal courts, and chancellors in this Commonwealth, to the contrary notwithstanding; said salary of fifteen hundred dollars shall be paid to the judge of the common pleas court in McCracken and Ballard counties, quarterly, as the salaries of the judges of the circuit courts are now paid, and shall be subject to the same reductions for *pro tem.* judges.

§ 7. The first section of this act shall take effect from and after the first day of June, 1871; and the remaining sections shall take effect from and after the passage of this act.

The question was taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	H. A. Tyler,
Robert Boyd,	Edwin Hawes,	Thos. Wrightson—8.
J. Q. Chenoweth,	K. F. Prichard,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. H. Dorman,	I. A. Spalding,
F. M. Allison,	W. McKee Fox,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	A. G. Talbott,
R. A. Burton,	J. B. Hayden,	Oscar Turner,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
Harrison Cockrill,	A. L. McAfee,	Ben. J. Webb—20.
Wm. L. Conklin,	Lewis Perrin,	

The question was then taken on the adoption of the amendment proposed by the committee as a substitute for said bill, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and the title thereof be amended to read,

An act to fix the time of holding the court of common pleas in Ballard and McCracken counties, and regulating its jurisdiction in certain cases.

The Senate, according to order, took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution fixing day for final adjournment.

Which reads as follows, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Wednesday, the 1st day of March, they will adjourn without day.

Mr. Bradley moved to amend said resolution by striking out the words "Wednesday, 1st day of March," and inserting the words "March 6th."

Mr. Hawes having demanded a division of the question,

The question was first taken on striking out, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. William Johnson and Allison, were as follows, viz :

Those who voted in the affirmative, were—

Mr. Speaker (Holt),	J. H. Dorman,	D. Y. Lyttle,
A. K. Bradley,	W. McKee Fox,	Lewis Perrin,
W. H. Chelf,	Edwin Hawes,	I. A. Spalding,
J. Q. Chenoweth,	J. B. Hayden,	A. C. Vallandingham,
Harrison Cockrill,	John W. Johnson,	Ben. J. Webb—16.
Wm. L. Conklin,		

Those who voted in the negative, were—

Jos. M. Alexander,	Joseph Gardner,	A. G. Talbott,
F. M. Allison,	Wm. Johnson,	Oscar Turner,
Robert Boyd,	A. L. McAfee,	H. A. Tyler,
R. A. Burton,	W. H. Payne,	Thos. Wrightson—13.
Lyttleton Cooke,		

Mr. Hawes moved to insert in lieu of the words stricken out the words "March 14th."

Mr. Vallandingham moved that the blank be filled with the words "March 20th."

Mr. Allison moved to insert the words "August 1st."

Mr. Turner moved that the further consideration of said resolution and proposed amendments be postponed until to-morrow at 10½ o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Alexander, were as follows, viz :

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. H. Dorman,	Lewis Perrin,
F. M. Allison,	Joseph Gardner,	A. G. Talbott,
W. H. Chelf,	William Johnson,	Oscar Turner,
J. Q. Chenoweth,	John W. Johnson,	A. C. Vallandingham,
Wm L. Conklin,	W. H. Payne,	Thos. Wrightson—16.
Lyttleton Cooke,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	K. F. Prichard,
Robert Boyd,	J. B. Hayden,	I. A. Spalding,
A. K. Bradley,	D. Y. Lyttle,	H. A. Tyler,
R. A. Burton,	A. L. McAfee,	Ben. J. Webb—13.
Harrison Cockrill,		

The Senate, according to order, took up for consideration a bill, entitled

A bill repealing subsection 7 of section 670, of the Civil Code of Practice.

Mr. Bradley moved that the further consideration of said bill be postponed to the 25th day of March next.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Joseph Gardner,	A. G. Talbott,
A. K. Bradley,	Edwin Hawes,	Oscar Turner,
R. A. Burton,	J. B. Hayden,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
Harrison Cockrill,	I. A. Spalding	W. L. Vories—15.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	Lewis Perrin,
Jos. M. Alexander,	J. H. Dorman,	K. F. Prichard,
Robert Boyd,	William Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	D. Y. Lyttle,	Thos. Wrightson—14.
Wm. L. Conklin,	W. H. Payne,	

The Senate, according to order, took up for consideration a bill, entitled

A bill repealing the 3d section of an act, entitled "An act conferring certain civil rights upon negroes and mulattoes," approved February 14, 1866.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the 3d section of an act, approved February 14th, 1866, entitled "An act conferring certain civil rights upon negroes and mulattoes," be, and the same is hereby, repealed.

§ 2. This act shall take effect and be in force from its passage.

Mr. Wm. Johnson moved to amend said bill by striking out the 1st section, and inserting in lieu thereof the following, viz:

That all persons shall be competent to testify in any civil or criminal case where the parties in interest agree of record.

Mr. Boyd moved the following amendment as a substitute for said bill and amendment, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all persons be, and are hereby, permitted to testify in any of the courts of this Commonwealth, without distinction of race, color, or previous condition of servitude.

§ 2. That all laws in conflict with this act are hereby repealed.

§ 3. This act shall be in force from its passage.

Mr. Chenoweth moved that said bill and proposed amendments be recommitted to the Committee on the Judiciary, with instructions to report on Friday next.

Mr. Webb moved that they be recommitted to a select committee.

The question being first taken on recommitting to the Committee on the Judiciary, with instructions to report on Friday next, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Webb, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	K. F. Prichard,
Jos. M. Alexander,	Edwin Hawes,	I. A. Spalding,
F. M. Allison,	J. B. Hayden,	E. D. Standeford,
A. K. Bradley,	Wm. Johnson,	A. G. Talbott,
R. A. Burton,	John W. Johnson,	H. A. Tyler,
W. H. Chelf,	D. Y. Lyttle,	A. C. Vallandingham,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
Wm. L. Conklin,	W. H. Payne,	Thos. Wrightson—25.
Lyttleton Cooke,		

Those who voted in the negative, were—

Robert Boyd,	J. H. Dorman,	Lewis Perrin,
Harrison Cockrill,	Joseph Gardner,	Oscar Turner—6.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest,

With the pending amendment.

Said bill reads as follows, viz:

WHEREAS, It is represented to this General Assembly that it would conduce to the general welfare of the people of this State to enforce contracts, to be hereafter made, for a greater rate of interest than six per cent. per annum; and whereas, this General Assembly is unwilling to make so great a change in a law of this State which has existed upon our statute books since the organization of our State Government, and has been for so long a time acquiesced in by our people as just to all parties concerned, without first consulting their

wishes on the subject; now, for the purpose of ascertaining their will, and with the intent of conforming thereto

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the several officers conducting the general election to be held at the various voting places within this Commonwealth in August next, to cause two columns to be ruled on their several poll-books, one of which shall, on each page thereof, be headed, "For a conventional rate of interest," and the other, "Against conventional rate of interest;" and, as each and every voter shall offer to cast his vote, they, or some one of them, shall distinctly put to each the following question: "Are you in favor of a conventional rate of interest not exceeding ten per cent. per annum." If the voter shall, in substance or form, respond that he is in favor of the same, his vote shall be recorded in the column first above named. If he shall, in substance or form, respond that he is against the same, then his vote shall be recorded in the other column.

§ 2. It shall be the duty of such officers, when they come to count and certify the other votes given at said general election, also, in like manner, to count and certify the votes given under this act.

§ 3. At the same time and place that, by law, the examiners of each county are required to certify the result of elections, they shall also count and certify to the Secretary of State the vote so given under this act.

§ 4. On the first day of September next, after said election, or sooner, if the returns from all the counties are received, the Secretary of State shall open said certificates so to be returned, count the same, and make publication thereof in at least six newspapers published in this State, showing therein the vote for and against a conventional rate of interest given in each county; and, at the meeting of the next General Assembly of this State, shall also make the same report to each House thereof.

§ 5. This act shall take effect and be in force from and after its passage.

Said amendment proposed by the Committee on Finance as a substitute for said bill, reads as follows, viz:

An act to amend chapter 53 of the Revised Statutes, title "Interest and Usury."

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for all persons, natural and political, to contract, by memorandum in writing, signed by the party or parties chargeable thereon, to pay or receive any rate of interest for the loan or forbearance of money which may be agreed on by the parties to such contract, not exceeding ten dollars upon one hundred dollars for a year; and at the same rate for a greater or less sum, and for a longer or shorter time.

§ 2. That no contract for the payment of a greater rate of interest than six per cent. per annum for the loan or forbearance of money shall be binding in law, unless a memorandum thereof shall be made in writing, and signed by the party chargeable thereon.

§ 3. That all judgments rendered upon any contract in writing for the payment of money shall bear the same rate of interest which is provided by such contract; but upon contracts in which no rate of interest is agreed upon, the judgment shall bear not more than six per cent. per annum.

§ 4. That if any rate of interest exceeding the rate authorized by the first section of this act shall be charged, the whole interest shall be forfeited; and if the lender in such usurious contract refuse, before suit brought, a tender of the principal without interest, he may, in any suit brought on such contract or assurance, recover the principal, but shall pay the cost of such suit.

§ 5. That all laws and parts of laws in conflict with the provisions of this act be, and they are hereby, repealed.

§ 6. This act to take effect and be in force from and after the first day of September, 1871.

Mr. Bradley moved that the further consideration of said bill and proposed amendment be postponed to Thursday next, March 2d.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Holt),	W. McKee Fox,	I. A. Spalding,
Robert Boyd,	Joseph Gardner,	A. G. Talbott,
A. K. Bradley,	D. Y. Lyttle,	A. C. Vallandingham,
R. A. Burton,	A. L. McAfee,	Oscar Turner—13.
W. H. Chelf,		

Those who voted in the negative, were—

Jos. M. Alexander,	J. H. Dorman,	Lewis Perrin,
F. M. Allison,	Edwin Hawes,	K. F. Prichard,
J. Q. Chenoweth,	J. B. Hayden,	E. D. Standeford,
Harrison Cockrill,	William Johnson,	H. A. Tyler,
Wm. L. Conklin,	John W. Johnson,	Ben. J. Webb,
Lyttleton Cooke,	W. H. Payne,	Thos. Wrightson—18

Mr. Talbott moved that the further consideration of said bill and proposed amendment be postponed indefinitely.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Mr Speaker (Holt),	Joseph Gardner,	A. G. Talbott,
F. M. Allison,	Edwin Hawes,	H. A. Tyler—8.
R. A. Burton,	J. B. Hayden,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. H. Dorman,	Lewis Perrin,
Robert Boyd,	W. McKee Fox,	I. A. Spalding,

A. K. Bradley,	William Johnson,	E. D. Standeford,
W. H. Chelf,	John W. Johnson,	Oscar Turner,
J. Q. Chenoweth,	D. Y. Lyttle,	A. C. Vallandingham,
Harrison Cockrill,	A. L. McAfee,	Ben. J. Webb,
Wm. L. Conklin,	W. H. Payne,	Thos. Wrightson—22.
Lyttleton Cooke,		

Mr. Spalding moved to amend the amendment proposed by the committee, by striking out in the third section the words "not more than."

Which was adopted.

Mr. Spalding also moved, as an amendment to the amendment proposed by the committee, to insert therein an additional section after section three, the following, viz:

After the death of the payor or obligor of a contract for the loan or forbearance of money, at a higher rate of interest than six per centum per annum, such contract, after maturity, and any judgment rendered thereon, shall bear six per centum per annum.

Mr. Conklin moved to amend the amendment proposed by the committee as amended, by substituting in lieu thereof the following, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1, of chapter 53, of the Revised Statutes, be so amended that any rate of interest agreed upon in writing, not exceeding ten per cent. per annum, shall be lawful; but upon all contracts where no other or greater rate of interest than six per cent. is stipulated, six per cent. per annum shall be held to be the lawful rate of interest on such contracts.

§ 2. That section two of said charter be so amended that all contracts and assurances made, directly or indirectly, for the loan or forbearance of money or other thing, at a greater rate of interest than ten per cent. per annum, shall be void for the whole of said interest.

§ 3. That this act shall take effect and be in force from and after the first day of June.

Mr. McAfee moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Prichard and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Lyttleton Cooke,	Lewis Perrin,
R. A. Burton,	Joseph Gardner,	I. A. Spalding,
J. Q. Chenoweth,	William Johnson,	E. D. Standeford,
Harrison Cockrill,	D. Y. Lyttle,	H. A. Tyler,
Wm. L. Conklin	A. L. McAfee,	Ben. J. Webb—15.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	W. H. Payne,
Jos. M. Alexander,	W. McKee Fox,	K. F. Prichard,
F. M. Allison,	Edwin Hawes,	A. G. Talbott,
A. K. Bradley,	J. B. Hayden,	A. C. Vallandingham,
W. H. Chelf,	John W. Johnson,	Oscar Turner—15.

Mr. Bradley moved that the Senate do now adjourn.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and Bradley, were as follows, viz :

Those who voted in the affirmative, were—

Jos. M. Alexander,	Harrison Cockrill,	I. A. Spalding,
F. M. Allison,	Edwin Hawes,	A. G. Talbott,
A. K. Bradley,	John W. Johnson,	H. A. Tyler,
R. A. Burton,	Lewis Perrin,	Ben. J. Webb,
W. H. Chelf,	K. F. Prichard,	Thos. Wrightson—16.
J. Q. Chenoweth,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	A. L. McAfee,
Robert Boyd,	Joseph Gardner,	W. H. Payne,
Wm. L. Conklin,	J. B. Hayden,	E. D. Standeford,
Lyttleton Cooke,	William Johnson,	A. C. Vallandingham,
J. H. Dorman,	D. Y. Lyttle,	Oscar Turner—15.

So the Senate adjourned.

WEDNESDAY, MARCH 1, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill and resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.

Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill.

And that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Deposit Bank of Eminence.

An act to incorporate the Kentucky High School at Frankfort.

An act to incorporate and endow Graves County Female Seminary.

An act for the benefit of Dallasburg school district, in Owen county.

An act to charter the Edgeworth Institute of Learning, in Lexington, Fayette county.

An act to amend an act incorporating the Vanceburg Male and Female Academy.

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same.

With amendments to the last named bill, which were taken up and referred to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act providing for the completion of the fire-proof offices in the city of Frankfort.

2. An act to require common school commissioners and county attorneys, in the respective counties, to report on the condition of the fund known as the County Seminary Fund.

3. An act to prohibit the sale of intoxicating liquors in district No. 9, in Meade county.

4. An act to extend the term to the Hart county court in which to build fire-proof vaults.

5. An act changing the time of holding the Montgomery quarterly courts.

6. An act to establish an additional justices' district in Cumberland county.

7. An act to allow the county court of Marshall county to purchase Stanton's Treatise.

8. An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

9. An act for the benefit of school district No. 3, in Simpson county.

10. An act for the benefit of common school district No. 31, in Bullitt county.

11. An act for the benefit of common school district No. 19, in Montgomery county.

12. An act to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes," approved March 11th, 1867, approved 3d February, 1870.

13. An act for the benefit of common school districts in Clinton county.

14. An act for the benefit of school district No. 6, in Robertson county.

15. An act to establish a graded school at St. James, late Shelby College, in Shelbyville.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as the second reading of said bills being dispensed with, they were referred—the 1st and 7th to the Committee on Finance; the 2d, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 15th to the Committee on Education; the 3d to the Committee on Religion and Morals, and the 5th and 6th to the Committee on Courts of Justice.

On motion of Mr. Boyd, leave was given to bring in the following bills, viz:

1. A bill for the benefit of Wm. Cummins, late sheriff of Whitley county.

2. A bill to incorporate the Harlan County Railroad, Mining, and Co-operation Company.

Ordered, That the Committee on Finance prepare and bring in the 1st, and the Committee on Internal Improvement the 2d.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to separate the offices of commissioner and receiver of the Louisville chancery court, and to provide for the appointment of said officers, and to define their duties, and to fix the fees of the commissioner.

An act for the benefit of Henry B. Wiseman, of Estill county.

An act for the benefit of W. W. Montague.

An act to change the western boundary of the city of Louisville.

An act to amend an act, entitled "An act to incorporate the Ohio Valley White Lead and Manufacturing Company, of Louisville," approved January 16, 1870.

An act to amend chapter 103 of the Revised Statutes, title "Turnpike and Plank Roads."

An act to amend an act, entitled "An act to incorporate the Gethsemane Male and Female Academy, of Nelson county," approved February 21, 1868.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to establish the weight of Rockcastle coal;

An act to amend the charter of the town of Cloverport;

An act to authorize the city of Dayton, in Campbell county, to establish common school system;

An act to define and locate the county line between Breathitt and Lee counties, near the store-house of J. & W. R. Crawford;

An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling;

An act to amend the charter of the town of Cromwell, in Ohio county;

An act to amend an act to regulate the sale and storage of illuminating oils, as far as the same applies to Ohio county;

An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved 3d day of March, 1870;

Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

On motion of Mr. Spalding, leave of indefinite absence was granted to Mr. Bradley.

The Senate resumed the consideration of a bill, which originated in the House of Representatives, entitled

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest,

With the amendment proposed as a substitute by the committee as amended, together with the amendment proposed thereto by Mr. Conklin as a substitute therefor.

[*For bill and amendments, see Journal of Tuesday, February* 28, 1871.]

The question was taken on the adoption of Mr. Conklin's amendment, and it was decided in the negative.

Mr. Cockrill moved to amend the amendment proposed by the committee, by striking out in the last section thereof the word "September," and inserting in lieu thereof the word "December."

The question being taken thereon, it was decided in the negative.

Mr. Chelf moved to amend the amendment proposed by the committee, by striking out that section thereof which begins with the words "that if any rate," &c.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Wm. L. Conklin,	John W. Johnson,
F. M. Allison,	J. H. Dorman,	W. H. Payne,
W. H. Chelf,	Edwin Hawes,	Thos. Wrightson—11.
. Q. Chenoweth,	William Johnson,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. B. Hayden,	A. G. Talbott,
Robert Boyd,	A. L. McAfee,	H. A. Tyler,
A. K. Bradley,	Lewis Perrin,	A. C. Vallandingham,
R. A. Burton,	I. A. Spalding,	Ben. J. Webb—13.
Harrison Cockrill,		

Mr. Wrightson then moved to amend the committee's proposed amendment by striking out said section, beginning, as aforesaid, with the words "that if any rate," &c., and inserting in lieu thereof the following, viz:

That if any rate of interest exceeding the rate authorized by the first section of this act shall be charged, the whole excess of interest above six per centum per annum shall be forfeited; and if the lender in such usurious contract refuse, before suit brought, a tender of the principal, with six per cent. interest, he may, in any suit brought on such contract or assurance, recover the principal and six per cent., but no more, and shall pay the cost of such suit.

The question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	D. Y. Lyttle,
F. M. Allison,	J. H. Dorman,	W. H. Payne,
Robert Boyd,	Joseph Gardner,	Oscar Turner,
W. H. Chelf,	Edwin Hawes,	Ben. J. Webb,
J. Q. Chenoweth,	William Johnson,	Thos. Wrightson—17
Wm. L. Conklin,	John W. Johnson,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. B. Hayden,	I. A. Spalding,
A. K. Bradley,	A. L. McAfee,	A. G. Talbott,
R. A. Burton,	Lewis Perrin,	H. A. Tyler—10.
Harrison Cockrill,		

Mr. Conklin moved, as an amendment to the amendment proposed by the committee, to strike out the words "natural and political."

Which was adopted.

Mr. Cooke then moved that the vote by which the Senate adopted the amendment proposed by Mr. Wrightson to the amendment proposed by the committee be reconsidered.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chelf and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. H. Dorman,	Lewis Perrin,
Robert Boyd,	Wm. Johnson,	I. A. Spalding,
A. K. Bradley,	D. Y. Lyttle,	Oscar Turner,
J. Q. Chenoweth,	A. L. McAfee,	A. C. Vallandingham,
Harrison Cockrill,	W. H. Payne,	Ben. J. Webb—16.
Lyttleton Cooke,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Wm. L. Conklin,	John W. Johnson,
F. M. Allison,	Joseph Gardner,	A. G. Talbott,
R. A. Burton,	Edwin Hawes,	H. A. Tyler,
W. H. Chelf,	J. B. Hayden,	Thos. Wrightson—12.

Mr. Wrightson then withdrew his said amendment.

Mr. Talbott then moved to reconsider the vote by which the Senate had rejected the amendment proposed by Mr. Chelf to the amendment proposed by the committee.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Chelf,	J. B. Hayden,	Oscar Turner,
Edwin Hawes,	A. G. Talbott,	H. A. Tyler—6.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Wm. L. Conklin,	A. L. McAfee,
Jos. M. Alexander,	Lyttleton Cooke,	W. H. Payne,
Robert Boyd,	J. H. Dorman,	Lewis Perrin,
A. K. Bradley,	Joseph Gardner,	I. A. Spalding,
R. A. Burton,	Wm. Johnson,	A. C. Vallandingham,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
Harrison Cockrill,	D. Y. Lyttle,	Thos. Wrightson—20.

Mr. Bradley moved to amend the amendment proposed by the committee by inserting therein as an additional section the following, viz:

That nothing in this act shall be construed to authorize any bank or other incorporated institution to charge a greater rate of interest than ten per cent. per annum on any bill, bond, note, or other obligation discounted or purchased by it.

The question being taken on the adoption thereof, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by the committee as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Hayden, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Lyttleton Cooke,	Lewis Perrin,
Robert Boyd,	J. H. Dorman,	I. A. Spalding,
A. K. Bradley,	William Johnson,	A. C. Vallandingham
J. Q. Chenoweth,	D. Y. Little,	Ben. J. Webb,
Harrison Cockrill,	A. L. McAfee,	Thos. Wrightson—17.
Wm L. Conklin,	W. H. Payne,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	A. G. Talbott,
F. M. Allison,	J. B. Hayden,	Oscar Turner,
R. A. Burton,	John W. Johnson,	H. A. Tyler—10.
W. H. Chelf,		

Ordered. That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Mr. Hawes moved that the Senate adjourn.

The question being taken thereon, it was decided in the negative.

Mr. Perrin moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Harrison Cockrill,	A. L. McAfee,
Robert Boyd,	Wm. L. Conklin	Lewis Perrin,
A. K. Bradley,	Lyttleton Cooke,	A. C. Vallandingham,
R. A. Burton,	J. H. Dorman,	Ben. J. Webb—14.
J. Q. Chenoweth,	D. Y. Lyttle,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	William Johnson,	A. G. Talbott,
F. M. Allison,	John W. Johnson,	H. A. Tyler,
W. H. Chelf,	W. H. Payne,	W. L. Vories,
Edwin Hawes,	I. A. Spalding,	Thos. Wrightson—13.
J. B. Hayden,		

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Webb, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Wm. L. Conklin,	Lewis Perrin,
Robert Boyd,	Lyttleton Cooke,	I. A. Spalding,
A. K. Bradley,	J. H. Dorman,	A. C. Vallandingham,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
Harrison Cockrill,	W. H. Payne,	Thos. Wrightson—15.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	D. Y. Lyttle,
F. M. Allison,	J. B. Hayden,	A. G. Talbott,
R. A. Burton,	Wm. Johnson,	Oscar Turner,
W. H. Chelf,	John W. Johnson,	H. A. Tyler—12.

Resolved, That the title of said bill be amended to read,

An act to amend chapter 53 of the Revised Statutes, title "Interest and Usury."

Mr. Chenoweth then moved that the vote by which said bill was passed be reconsidered.

Mr. Bradley moved that said motion be laid upon the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chelf and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Wm. L. Conklin,	Lewis Perrin,
Robert Boyd,	Lyttleton Cooke,	I. A. Spalding
A. K. Bradley,	J. H. Dorman,	Ben. J. Webb,
J. Q. Chenoweth,	A. L. McAfee,	Thos. Wrightson—14.
Harrison Cockrill,	W. H. Payne,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	A. G. Talbott,
F. M. Allison,	J. B. Hayden,	A. C. Vallandingham,
R. A. Burton,	William Johnson,	H. A. Tyler—11.
W. H. Chelf,	John W. Johnson,	

The Senate took up for consideration a resolution, entitled

Resolution in relation to the rescue of T. Scroggins from the Franklin county jail.

Ordered, That the further consideration thereof be postponed until to-morrow at 10½ o'clock, A. M.

Mr. McAfee, from the Committee on Internal Improvement, reported a bill, entitled

A bill to amend the charter of the town of Midway, in Woodford county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Boyd moved an amendment to said bill.

Mr. McAfee moved that the Senate adjourn.

The question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

THURSDAY, MARCH 2, 1871.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act directing the purchase of Collins' Historical Sketches of Kentucky.

2. An act to change the time of payment of the revenue into the State Treasury, and amend the revenue laws.

3. An act to incorporate the Tradewater Coal and Transportation Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Education; the 2d to the Committee on Finance, and the 3d to the Committee on Agriculture and Manufactures.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 9 of title 10, of the Civil Code of Practice, entitled "Forcible Entry and Detainer."

An act to incorporate the Paducah Hook and Ladder Company.

An act to legalize the acts of Frank Walton and J. B. Finnell, deputy clerks of A. B. Parker, clerk of the Boone county court.

An act to amend an act, entitled "An act to charter the Stanford Female Seminary," approved February 26th, 1869.

An act for the benefit of school district No. 8, in Calloway county.

An act to change the time of holding the Ohio county quarterly court.

An act in relation to recording of deeds made under order of the Louisville chancery court.

An act to define and extend the corporate limits of the city of Dayton, in Campbell county.

An act to authorize R. S. Mosely to make a cross-index to the suits of the Ohio county quarterly court.

An act to authorize the trustees of common school district No. 1, in Logan county, to levy and collect a tax for the purpose of erecting common school buildings in said district.

An act to amend the act to incorporate the town of Bellevue, in Campbell county.

An act to amend the town charter of Tompkinsville, in Monroe county.

On motion of Mr. Talbott, leave was given to bring in the following bills, viz:

1. A bill for the benefit of Matilda Taylor, of Danville.

2. A bill to amend the Liberty and Middleburg Turnpike Road Company.

Messrs. Talbott, Burton, and Tyler were appointed a committee to prepare and bring in the 1st, and Messrs. Talbott, Payne, and Vories the 2d.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 1, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent Frank K. Hunt and Dr. H. M. Skillman, to be Managers of the Eastern Lunatic Asylum at Lexington.

Very respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

Mr. Prichard, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Gaylord Iron and Manufacturing Company," approved March 16th, 1869;

An act for the benefit of Dallasburg school district, in Owen county;

An act for the benefit of the sureties of H. M. Wade, late sheriff of Marshall county, on his revenue bond for the year 1869;

An act for the benefit of inebriates and their relations;

An act to amend an act incorporating the Vanceburg Male and Female Academy;

An act to amend the charter of the Deposit Bank of Eminence;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Prichard reported that the committee had performed that duty.

On motion, Mr. Chenoweth was added to the Committee on Education.

The following petitions and remonstrances were presented, viz:

By Mr. Carlisle—

1. The remonstrance of citizens of Campbell and Pendleton counties, against the passage of a law prohibiting the sale of liquors in Demossville.

By Mr. Alexander—

2. The petition of citizens of Flemingsburg, asking an amendment to the charter of said town.

By same—

3. The remonstrance of citizens of Flemingsburg, against an amendment of the charter of said town.

By Mr. Talbott—

4. The petition of sundry citizens, praying the passage of an act to prevent the sale of spirituous or vinous liquors in the town of Hustonville.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the Committee on Religion and Morals, and the 2d and 3d to the Committee on Courts of Justice.

A message was received from the House of Representatives, asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to wait upon the Governor and ask the withdrawal of a bill, originating in the House of Representatives, which had passed the two Houses of the General Assembly, entitled

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854;

Whereupon, Messrs. Allison and Tyler were appointed said committee.

A message was also received from the Honse of Representatives, asking leave to withdraw the announcement of their passage of a bill, originating in the Senate, entitled

An act to incorporate and endow Graves County Female Seminary.

Which was granted, and said bill delivered to the messenger.

The Senate resumed the consideration of the unfinished report from the Committee on Internal Improvement, viz:

A bill to amend the charter of the town of Midway, in Woodford county,

With the amendment proposed by Mr. Boyd.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the charter of the town of Midway be so amended that hereafter any owner and holder of real estate in said town, who is qualified under the laws of Kentucky to vote for State officers, shall be entitled to vote at any election held in said town for town officers, including the board of trustees.

§ 2. That no resident or citizen of said town of Midway shall be entitled to vote at any election for town officers until he shall first exhibit to the officers of election a receipt showing that such resident has paid his poll-tax for the previous year.

§ 3. That it shall be unlawful for any person to permit his or her hog or hogs to run at large in the town of Midway; and for every violation of this section such person shall, upon conviction before the police judge of such town, be fined in any sum not exceeding three dollars; and if such fine is not immediately paid or replevied, a *capias pro fine* may issue from the office of the police judge, and such person be compelled to work out the same, at the rate of one dollar per day, in the work-house of said town.

§ 4. That the portion of the town of Midway known as Haydonsville shall be excluded from the corporate limits of said town; and the board of trustees are hereby authorized, empowered, and directed to make out the boundary lines so as to exclude that portion known as Haydonsville; and no resident or citizen of Haydonsville shall be entitled to vote at any election for town officers in Midway except as is provided for in section one of this act.

§ 5. This act to take effect from its passage.

The question was taken on the adoption of Mr. Boyd's amendment, viz: striking out the 2d section of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Edwin Hawes,	H. A. Tyler,
W. H. Chelf,	J. B. Hayden,	Thos. Wrightson—7.
Wm. L. Conklin,		

Those who voted in the negative, were—

Mr SPEAKER (Holt),	William Johnson,	I. A. Spalding,
Jos. M. Alexander,	John W. Johnson,	E. D. Standeford,
R. A. Burton,	A. L. McAfee,	A. G. Talbott,
John G. Carlisle,	W. H. Payne,	A. C. Vallandingham,
J. Q. Chenoweth,	Lewis Perrin,	W. L. Vories,
J. H. Dorman,	K. F. Prichard,	Ben. J. Webb—19.
W. McKee Fox,		

Mr. Wrightson then moved to amend said bill by striking out in the 1st section the words "owner and holder of real estate in said town," and inserting in lieu thereof the word "person."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Edwin Hawes,	H. A. Tyler,
W. H. Chelf,	J. B. Hayden,	Thos. Wrightson—7.
Wm. L. Conklin,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	William Johnson,	I. A. Spalding,
Jos. M. Alexander,	John W. Johnson,	E. D. Standeford,
R. A. Burton,	A. L. McAfee,	A. G. Talbott,
J. Q. Chenoweth,	W. H. Payne,	A. C. Vallandingham,
J. H. Dorman,	Lewis Perrin,	W. L. Vories—16.
W. McKee Fox,		

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	William Johnson,	I. A. Spalding,
Jos. M. Alexander,	John W. Johnson,	E. D. Standeford,
R. A. Burton,	A. L. McAfee,	A. G. Talbott,
J. Q. Chenoweth,	W. H. Payne,	A. C. Vallandingham,
J. H. Dorman,	Lewis Perrin,	W. L. Vories—16.
W. McKee Fox,		

Those who voted in the negative, were—

Robert Boyd,	Edwin Hawes,	H. A. Tyler,
W. H. Chelf,	J. B. Hayden,	Thos. Wrightson—7.
Wm. L. Conklin,		

Resolved, That the title of said bill be as aforesaid.

Mr. Vallandingham read and laid on the table a joint resolution, directing the appointment of an agent to collect the Kentucky war claims.

The rule of the Senate being dispensed with, said resolution was taken up, and referred to the Committee on Finance, with instructions to report Monday next.

The Senate, according to order, took up for consideration a bill, entitled

A bill to provide for the erection of a warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion.

Which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of twenty-eight thousand three hundred and eleven dollars ($28,311) be, and the same is hereby, appropriated, for the purpose of building a block of warehouses, four in number, covering, in the aggregate, the one hundred by one hundred feet of ground owned by the State, immediately opposite the western wall of the penitentiary.

§ 2. That James W. Tate, John Rodman, and D. Howard Smith, or any two of whom, are hereby empowered to contract for the execution of the work, and the erection of the buildings contemplated by the first section of this act, with the keeper or other person or persons, according to plans submitted to them, and which they are to decide upon and adopt, having due regard to economy and durability of work, as well as the adaptation of the buildings to the interest of the State and the purpose for which they are erected. They may select a competent architect to superintend the work; but said commissioners shall in no event exceed the amount herein appropriated in making said contract: *Provided*, That the commissioners appointed by this section shall be required to advertise in two newspapers published in Frankfort, and two or more newspapers published in the city of Louisville, for thirty days, for proposals for contracts for said work, and shall let the same to the lowest and best bidder.

§ 3. That said commissioners are hereby authorized to issue certificates to the Auditor in favor of the contractor or contractors for such sum as will pay not more than ninety per cent. for work done as it progresses, at such time as they may deem proper and expedient; but at no time shall they issue any such certificates for work which has not been done.

§ 4. Upon the receipt of any of the certificates provided for in the third section of this act, it shall be the duty of the Auditor to draw his warrant upon the Treasury for said sum corresponding with such certificates, to be paid out of any money in the Treasury not otherwise appropriated.

§ 5. That this act shall be in force from its passage.

Mr. Spalding moved the following amendments to said bill, viz:

1. Strike out of section 2d the words "James W. Tate, John Rodman, and D. Howard Smith," and inserting in lieu thereof the following: "The Governor shall appoint three practical architects or builders."

2. Add the following additional proviso: "*Provided further*, That neither of said commissioners shall, directly or indirectly, be interested or become interested in the contract, or in the work done or material furnished."

Which were adopted.

Mr. Tyler moved the following amendment as an additional section, viz:

That the present keeper will first contract and obligate himself to pay to the State an annual rent therefor of $2,000 per annum from the date of its completion to the close of his term.

Mr. Lyttle moved to amend said amendment by substituting in lieu thereof the following, viz:

That the keeper of the penitentiary shall pay six per cent. per annum on the money invested to build the warehouse after the same is completed.

Which was adopted.

The question was then taken on the adoption of said amendment as amended, and it was decided in the affirmative.

Mr. Vallandingham moved to amend said bill by striking out in the third section the word "ninety," and inserting in lieu thereof the words "seventy-five."

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	A. G. Talbott,
Robert Boyd,	Edwin Hawes,	H. A. Tyler,
R. A. Burton,	Wm. Johnson,	A. C. Vallandingham,
John G. Carlisle,	John W. Johnson,	W. L. Vories,
W. H. Chelf,	D. Y. Lyttle,	Thos. Wrightson—17.
Lyttleton Cooke,	A. L. McAfee,	

Those who voted in the negative, were—

Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
F. M. Allison,	Lewis Perrin,	E. D. Standeford,
Wm. L. Conklin,	K. F. Prichard,	Ben. J. Webb—9.

Mr. Prichard moved to amend said bill by adding the following as an additional section, viz:

The commissioners and architect shall receive for their services five dollars each per day whilst actually employed; and they shall,

before entering upon the discharge of their duties, execute bonds, with approved surety, to the State, and shall take an oath for the faithful performance of their duties.

Mr. Alexander moved to amend said amendment by striking out the word "architect."

Which was adopted.

Mr. Cooke moved to further amend said amendment of Mr. Prichard by inserting after the word "employed" these words, viz: "But no commissioner shall receive more than $300 for such services."

Which amendment was also adopted.

The question was then taken on the adoption of Mr. Prichard's amendment as amended, and it was decided in the affirmative.

Mr. Hawes moved to amend said bill by adding, as an additional section, the following, viz:

That the keeper of the penitentiary shall consent to the tearing down of the present warehouse for the purpose of erecting the one proposed in this bill, without any charge on the State for removal, and that the material shall be used for the construction of the proposed building as far as it will go.

Which amendment was adopted.

Mr. Spalding then moved to amend said bill by adding after the words "best bidder" these words, viz: "who shall execute bond to the State, with approved security, for the faithful performance of his contract."

Which amendment was adopted.

Mr. Vallandingham moved to amend said bill by inserting in the 2d section, after the word "work," the words "who shall be paid out of the amount appropriated in this act."

And the question being taken thereon, it was decided in the negative.

Mr. Vallandingham moved to amend said bill by striking out in the 2d section the words "they may select a competent architect to superintend the work."

The question being taken thereon, it was decided in the negative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	Lewis Perrin,
Jos. M. Alexander,	Joseph Gardner,	K. F. Prichard,
F. M. Allison,	Edwin Hawes,	I. A. Spalding,
R. A. Burton,	J. B. Hayden,	E. D. Standeford,
John G. Carlisle,	William Johnson,	A. G. Talbott,
W. H. Chelf,	John W. Johnson,	H. A. Tyler,
J. Q. Chenoweth,	D. Y. Lyttle,	A. C. Vallandingham,
Wm. L. Conklin,	A. L. McAfee,	W. L. Vories,
Lyttleton Cooke,	W. H. Payne,	Ben. J. Webb—28.
J. H. Dorman,		

Those who voted in the negative, were—

Robert Boyd, Thos. Wrightson—2

Resolved, That the title of said bill be as aforesaid.

And then the Senate adjourned.

FRIDAY, MARCH 3, 1871.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act for the benefit of the State Agricultural Society.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Midway, in Woodford county.

An act to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department.

And that they had passed bills and adopted a resolution of the following titles, viz:

1. An act for the benefit of public schools and academies of Newport.

2. An act to amend an act, entitled "An act for the protection of small birds and other game."

3. An act to amend first section of an act, entitled "An act to amend the charter of the Washington County Agricultural Society," approved February 20, 1868.

4. An act to incorporate the "South Elkhorn Horse and Agricultural Association."

5. An act to incorporate the Eminence Agricultural and Mechanical Association.

6. An act to incorporate the Jessamine County Agricultural and Mechanical Association.

7. An act to amend the 8th section of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3, 1870, in relation to wharfmaster.

8. Resolution to purchase Cain's portrait of Chief Justice Robertson.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Education; the 2d, 3d, 4th, 5th, and 6th to the Committee on Agriculture and Manufactures; the 7th to the Committee on the Judiciary; and the 8th to the Committee on Finance.

On motion of Mr. Spalding, leave was given to bring in a bill, entitled

A bill to amend the charter of Providence Coal, Iron, Mining, Manufacturing, and Shipping Company.

Which was referred to the Committee on Railroads.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Company;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Kentucky High School at Frankfort;

An act to authorize Insurance Companies to make special deposits of securities in the Insurance Department;

An act to charter the Edgeworth Institute of Learning, in Lexington, Fayette county;

An act to amend the charter of the town of Midway, in Woodford county;

An act to amend the charter of the city of Ludlow;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

Mr. J. W. Johnson presented the petition of physicians of McLean county, asking legislation for the benefit of physicians.

Which was received, its reading dispensed with, and referred to the Committee on the Judiciary.

Mr. Webb, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Public Library of Kentucky,

Reported the same without amendment.

[*For bill, see Session Acts*, 1871.]

Mr. Wm. Johnson moved to amend said bill by striking out in the 7th section the clause relating to "entertainments," beginning with the word "also" and ending with the word "admission."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. William Johnson and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

MR. SPEAKER (Holt),	A. K. Bradley,	William Johnson,
Jos. M. Alexander,	J. H. Dorman,	John W. Johnson,
Robert Boyd,	Edwin Hawes,	Thos. Wrightson—9.

Those who voted in the negative, were—

F. M. Allison,	G. W. Connor,	K. F. Prichard,
R. A. Burton,	W. McKee Fox,	I. A. Spalding,
John G. Carlisle,	Joseph Gardner,	E. D. Standeford,
W. H. Chelf,	J. B. Hayden,	A. G. Talbott,
J. Q. Chenoweth,	D. Y. Lyttle,	H. A. Tyler,
Harrison Cockrill,	W. H. Payne,	A. C. Vallandingham,
Wm. L. Conklin	Lewis Perrin,	Ben. J. Webb—21.

Ordered, That said bill be read a third time.

It was then moved that the third reading of said bill be dispensed with.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Allison, were as follows, viz :

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Wm. L. Conklin,	K. F. Prichard,
Jos. M. Alexander,	G. W. Connor,	I. A. Spalding,
F. M. Allison,	W. McKee Fox,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	A. G. Talbott,
R. A. Burton,	J. B. Hayden,	Oscar Turner,
Jno. G. Carlisle,	John W. Johnson,	H. A. Tyler,
W. H. Chelf,	D. Y. Lyttle,	A. C. Vallandingham,
J. Q. Chenoweth,	W. H. Payne,	Ben. J. Webb,
Harrison Cockrill,	Lewis Perrin,	Thos. Wrightson—27.

Those who voted in the negative, were—

A. K. Bradley,	Edwin Hawes,	Wm. Johnson—4.
J. H. Dorman,		

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Joseph Gardner,	I. A. Spalding,
R. A. Burton,	J. B. Hayden,	E. D. Standeford,
John G. Carlisle,	D. Y. Lyttle,	A. G. Talbott,
W. H. Chelf,	A. L. McAfee,	Oscar Turner,
J. Q. Chenoweth,	W. H. Payne,	H. A. Tyler,
Harrison Cockrill,	Lewis Perrin,	A. C. Vallandingham,
Wm. L. Conklin,	K. F. Prichard,	Ben. J. Webb—22.
W. McKee Fox,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	A. K. Bradley,	Wm. Johnson,
Jos. M. Alexander,	J. H. Dorman,	John W. Johnson,
Robert Boyd,	Edwin Hawes,	Thos. Wrightson—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Alexander, from the Committee on the Sinking Fund, reported a bill, entitled

A bill to amend an act, approved March 15th, 1869, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river."

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The committee appointed on yesterday to act with a similar committee on the part of the House of Representatives, to withdraw from the Governor a bill which had passed both Houses, entitled

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854,

Reported that they had performed that duty, and handed said bill in at the Clerk's desk.

Mr. Carlisle, from the Committee on the Judiciary, to whom was recommitted, with sundry proposed amendments, a bill, entitled

A bill repealing the 3d section of an act, entitled "An act conferring certain civil rights upon negroes and mulattoes," approved February 14, 1866,

Reported the same in obedience to the will of a majority of said committee, with an amendment as a substitute therefor.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the 3d section of an act, approved February 14th, 1866, entitled "An act conferring certain civil rights upon negroes and mulattoes," be, and the same is hereby, repealed.

§ 2. This act shall take effect and be in force from its passage.

Said amendment proposed by the committee as a substitute for said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter no person shall be held incompetent to testify in any civil action or proceeding, or in any criminal or penal prosecution in any court in this Commonwealth, on account of race or color.

§ 2. That all laws in conflict with this act be, and the same are hereby, repealed.

§ 3. This act shall be in force from its passage.

Mr. Tyler moved that said bill and proposed amendment be laid upon the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were--

A. K. Bradley,	J. B. Hayden,	Oscar Turner,
R. A. Burton,	A. L. McAfee,	A. C. Vallandingham
Harrison Cockrill,	A. G. Talbott,	H. A. Tyler—10.
Edwin Hawes,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	G. W. Connor,	W. H. Payne,
Jos. M. Alexander,	Lyttleton Cooke,	Lewis Perrin,
F. M. Allison,	J. H. Dorman,	K. F. Prichard,
Robert Boyd,	W. McKee Fox,	I. A. Spalding,
Jno. G. Carlisle,	Joseph Gardner,	E. D. Standeford,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	John W. Johnson,	Thos. Wrightson—23.
Wm L. Conklin,	D. Y. Lyttle,	

Mr. Turner moved an amendment to the amendment proposed by the committee.

On motion of Mr. Vories,

Ordered, That the further consideration of said bill and proposed amendments be postponed to Tuesday next, March 7th.

And then the Senate adjourned.

SATURDAY, MARCH 4, 1871.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act for the benefit of John C. Gardner, late clerk of the Fulton circuit court.

An act for the benefit of Emma Wade, widow of Wm. M. Wade, deceased.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of Lincoln county.

2. An act to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe.

3. An act to authorize the city of Newport, in Campbell county, to purchase certain real estate.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be referred to the Committee on Courts of Justice; the 2d to the Committee on the Judiciary; and that the 3d be read a third time.

The constitutional provision as to the third reading of said last named bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Public Library of Kentucky;

An act to authorize the city of Newport, in Campbell county, to purchase certain real estate;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

On motion of Mr. Wrightson,

Ordered, That a committee be appointed, to act in conjunction with a similar committee to be appointed on the part of the House of Representatives, to wait upon the Governor and ask the withdrawal of a bill, originating in the House of Representatives, which had passed both Houses of the General Assembly, entitled

An act to authorize the city of Dayton, in Campbell county, to establish common school system.

Whereupon, Messrs. Wrightson and Cockrill were appointed said committee.

A message was received from the House of Representatives, asking that a committee be appointed, to act in conjunction with a similar committee appointed on the part of the House of Representatives, to wait upon the Governor and ask the withdrawal of a bill, originating in the House of Representatives, which has passed the two Houses, entitled

An act to amend the charter of the town of Cloverport.

Whereupon, Messrs. Conklin and Connor were appointed said committee.

A message was received from the House of Representatives, requesting that a committee be appointed, to act in conjunction with a similar committee on the part of the House of Representatives, to wait upon the Governor and ask the withdrawal of a bill, originating in the House of Representatives, which had passed the two Houses, entitled

An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling.

Whereupon, Messrs. Connor and Tyler were appointed said committee.

On motion of Mr. Vories, leave was given to bring in a bill, entitled

A bill for the benefit of Henry county.

Ordered, That the Committee on Courts of Justice prepare and bring in the same.

The Senate took up for consideration the motion heretofore entered to reconsider the vote by which the Senate passed a bill, which originated in the House of Representatives, entitled

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

[*For bill, see Senate Journal of February 24th*, 1871.]

And the question being taken on said motion to reconsider, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	A. G. Talbott,
Robert Boyd,	Edwin Hawes,	Oscar Turner,
A. K. Bradley,	J. B. Hayden,	A. C. Vallandingham,
R. A. Burton,	Wm. Johnson,	Thos. Wrightson—14.
J. Q. Chenoweth,	John W. Johnson,	

Those who voted in the negative, were—

Jos. M. Alexander,	Lyttleton Cooke,	I. A. Spalding,
F. M. Allison,	Joseph Gardner,	E. D. Standeford,
John G. Carlisle,	D. Y. Lyttle,	H. A. Tyler,
Harrison Cockrill,	Lewis Perrin,	W. L. Vories,
Wm. L. Conklin,	K. F. Prichard,	Ben. J. Webb—16.
G. W. Connor,		

On motion of Mr. J. W. Johnson, leave of indefinite absence was granted to Mr. Payne.

Mr. J. W. Johnson, from the Committee on Religion and Morals, to whom had been referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of South Carrollton,"

Reported the same without any expression of opinion.

On motion of Mr. Allison,

Ordered, That said bill be laid upon the table.

The committees appointed to withdraw from the Governor bills of the following titles, viz:

An act to amend the charter of the town of Cloverport;

An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling;

Severally reported that they had performed their respective duties.

The announcement of the passage of said bills by the Senate having been withdrawn from the House of Representatives,

Ordered, That said bills be recommitted—the 1st to the Committee on the Revised Statutes and Codes of Practice, and the 2d to the Committee on the Judiciary.

Mr. Vories withdrew his motion heretofore entered to reconsider the vote by which the Senate had, on February 25th, ult., passed a bill from the House of Representatives, entitled

An act to protect owners of land in Carroll, Hardin, and Gallatin counties, from trespasses.

Mr. J. W. Johnson, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act to regulate the sale of spirituous liquors to minors,

Reported the same with an amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter no person shall sell or give or loan to any person or persons under the age of twenty-one years any spirituous, vinous, or malt liquors, or the mixture of either, unless by the written consent or request of the father of such minor, if living, or of the mother or guardian of such minor, if the father be dead; and any person so offending shall be subject to a fine of not less than ten nor more than fifty dollars for each and every offense, recoverable in any court having jurisdiction of the amount, by warrant or indictment.

§ 2. This act shall take effect from its passage.

Said amendment reads as follows, viz:

Add to section first these words: "And in addition to the foregoing penalty, either of the parents, or any relative of any such minor, by action in any court of competent jurisdiction, may recover from any such offenders, for each offense committed in violation of this act, the sum of fifty dollars, and the costs of the action."

The question being taken on the adoption thereof, it was decided in the affirmative.

Mr. Tyler then moved to amend said bill by striking out the words "ten" and "fifty," where they first occur, and inserting in lieu thereof, respectively, the words "fifty" and "two hundred."

Which was adopted.

Mr. Spalding moved to amend said bill by adding to the first section, after the amendment proposed by the committee, and adopted, these words, viz:

Provided, It shall be a good defense to any civil action or proceeding under this section that the parent or guardian of such minor consented to, or directly or indirectly connived at, the selling, loaning, or giving.

Mr. Vallandingham moved to amend said bill by striking out all after the enacting clause.

And the question being taken thereon, it was decided in the negative.

Mr. Vallandingham then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of Mr. Spalding's amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Johnson and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Harrison Cockrill,	I. A. Spalding
Jos. M. Alexander,	Wm. L. Conklin,	E. D. Standeford,
F. M. Allison,	G. W. Connor,	Oscar Turner,
A. K. Bradley,	Joseph Gardner,	H. A. Tyler,
R. A. Burton,	Edwin Hawes,	A. C. Vallandingham,
Jno. G. Carlisle,	William Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	Lewis Perrin,	Thos. Wrightson—21.

Those who voted in the negative, were—

Robert Boyd,	John W. Johnson,	A. G. Talbott,
W. McKee Fox,	K. F. Prichard,	W. L. Vories—6.

Ordered. That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Johnson and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	A. G. Talbott,
Robert Boyd,	John W. Johnson,	H. A. Tyler,
R. A. Burton,	Lewis Perrin,	W. L. Vories,
G. W. Connor,	K. F. Prichard,	Thos. Wrightson—13
Joseph Gardner,		

Those who voted in the negative, were—

Jos. M. Alexander,	Harrison Cockrill,	I. A. Spalding,
F. M. Allison,	Wm. L. Conklin,	E. D. Standeford,
A. K. Bradley,	Lyttleton Cooke,	Oscar Turner,
John G. Carlisle,	W. McKee Fox,	A. C. Vallandingham,
J. Q. Chenoweth,	William Johnson,	Ben. J. Webb—15.

So said bill was disagreed to.

Mr. Turner then moved to reconsider the vote by which said bill was disagreed to.

The question being taken thereon, it was decided in the affirmative.

Ordered, That said bill and amendments be recommitted to the Committee on Religion and Morals.

The Senate took up for consideration a bill, which originated in the House of Representatives, reported from the Committee on the Judiciary, with the opinion that it ought not to pass, entitled

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence.

[*For bill, see Session Acts*, 1871.]

Mr. Prichard moved to amend said bill by inserting after the word "tickets," where it first occurs, the words "payable in merchandise."

Which was adopted.

The question was then taken on ordering said bill to be read a third time, as amended, and it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Connor, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
F. M. Allison,	John W. Johnson,	E. D. Standeford,
J. Q. Chenoweth,	D. Y. Lyttle,	A. G. Talbott,
Harrison Cockrill,	Lewis Perrin,	W. L. Vories,
Wm. L. Conklin,	K. F. Prichard,	Ben. J. Webb—16.
G. W. Connor,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	A. C. Vallandingham,
A. K. Bradley,	Oscar Turner,	H. A. Tyler—7.
Jno. G. Carlisle,		

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky.

Ordered, That the further consideration thereof be postponed to Tuesday next, March 7th.

The Senate took up for consideration a bill, entitled

A bill to remove obstructions from the South Fork of the Kentucky river and its navigable tributaries.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, There are divers obstructions in the South Fork of the Kentucky river and its tributaries, and particularly at the Narrows, which greatly endanger the navigation, and heavy losses are often sustained by persons who transport salt, coal, and lumber down said river and tributaries to market, and often human life; and whereas, there are numerous inexhaustible deposits of coal and salt on said fork, and a vast amount of pine timber; and it is important to the citizens of this Commonwealth that the dangerous obstructions to the navigation of said river be removed; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of six thousand dollars be appropriated, to be expended as hereinafter provided, in removing obstructions to the navigation of the South Fork of the Kentucky river and its tributaries, from the mouth to the upper salt works on either fork of said South Fork.

§ 2. That Gen. T. T. Garrard, Maj. Daugherty White, Dilian T. White, and John Hyden are appointed commissioners to expend said sum of money in removing obstructions, as provided in the first section of this act, without charge upon the State for their services as commissioners. They may let out the work in such parcels, and

on such terms, as they may deem best: *Provided*, They shall always give at least ten days' public notice of the time and place and terms of such letting of contracts for improvements as aforesaid. They shall not pay any contractor more than one half of the amount agreed upon until the work is completed. They shall give each contractor a copy of the agreement, and may, upon his executing bond in the Clay circuit court, with approved security, payable to the Commonwealth, with a covenant for the faithful performance of said contract, advance to said contractor one half the price agreed upon.

§ 3. The commissioners aforesaid shall certify to the Auditor a true copy of every contract they make under this act. Whereupon, the Auditor of Public Accounts shall draw his warrant on the Treasurer in favor of said commissioners for half the amount set forth in said contract.

§ 4. When the work is completed according to contract, the said commissioners shall certify the same to the Auditor of Public Accounts. Whereupon, he shall draw his warrant upon the Treasurer in favor of said contractor for the remaining half of the amount agreed upon in said contract.

§ 5. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	W. McKee Fox,	I. A. Spalding,
R. A. Burton,	Joseph Gardner,	E. D. Standeford,
J. Q. Chenoweth,	William Johnson,	A. G. Talbott,
Harrison Cockrill,	John W. Johnson,	W. L. Vories,
G. W. Connor,	D. Y. Lyttle,	Ben. J. Webb—17.
Lyttleton Cooke,	K. F. Prichard,	

Those who voted in the negative, were—

Mr SPEAKER (Holt),	Edwin Hawes,	A. C. Vallandingham,
A. K. Bradley,	Lewis Perrin,	H. A. Tyler,
John G. Carlisle,	Oscar Turner,	Thos. Wrightson—10.
Wm. L. Conklin,		

So said bill was rejected, having failed to receive the majority required by the Constitution.

Mr. Conklin moved that the vote by which said bill was rejected be reconsidered.

Which motion was entered only.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 4, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

John W. Mathews, Henry county.
C. D. Smith, McCracken county.
David Wilson, Fleming county.
W. P. Noble, Marion county.
T. W. Campbell, Warren county.
James Buchanan, Jefferson county.
F. S. Seigel, Jefferson county.
John T. McQuiddy, Jefferson county.
M. A. Walker, Jefferson county.
James Nones, Jefferson county.
Phil. Tompert, sr., Jefferson county.
Lewis R. McCleery, Jefferson county.

Very respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

Again a message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

An act to amend the charter of the city of Henderson.

By same—

An act to incorporate the town of Casey's Mines, in Union county.

By same—

An act to amend the charter of Cave City, in Barren county.

By same—

An act to amend and reduce into one the acts incorporating the town of Paintsville.

By Mr. Allison, from same committee—

An act to amend section 6 of article 3, chapter 26, Revised Statutes, title "County Levy."

By same—

An act to amend section 21, chapter 84, entitled "Roads and Passways," Revised Statutes.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act for the benefit of the Slate Union or Salt Well Church, in Bath county.

By same—

An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof.

By same—

An act for the benefit of Clark and Montgomery counties.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom had been referred bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Walnut Flat Church;

An act to incorporate the Christian Church at Ghent;

Reported the same, requesting that the committee be discharged from the further consideration of the same, they being in violation of Rule 81 of the Senate.

Which was granted.

Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend section 5, article 7, chapter 32, Revised Statutes, title "Elections,"

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Mr. Spalding, from same committee, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Odd Fellows' Hall Company, in the town of Nicholasville,

Asked to be discharged from the further consideration of said bill, its introduction being in violation of Rule 81.

Which was granted.

Mr. Spalding, from same committee, to whom had been referred a bill from the House of Representatives, entitled

An act defining what shall be deemed a lawful fence in Gallatin county, and providing for the punishment of the owners of breachy or roguish cattle permitted to run on the commons therein,

Reported the same, with the expression of opinion that said bill ought not to pass.

Ordered, That said bill be placed in the orders of the day.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend an act, entitled, "An act to amend an act, entitled 'An act to incorporate the St. Bernard Coal Company'"

By same—

A bill to amend section 3, article 3, chapter 17, of Revised Statutes.

By same—

A bill to authorize and provide for the erection of a new court-house and clerks' offices in Fayette county.

By Mr. Bradley, from same committee—

An act to amend an act, entitled "An act to incorporate the Savings Deposit Bank in Elkton, Todd county."

By Mr. John W. Johnson, from the Committee on Religion and Morals—

A bill to amend an act, entitled "An act incorporating the town of Hustonville, and the several acts amendatory thereof."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Greensburg, Columbia, and New Haven Turnpike Road Company.

An act to incorporate the Kentucky High School at Frankfort.

An act to charter the Edgeworth Institute of Learning, in Lexington, Fayette county.

An act to amend the charter of the Deposit Bank of Eminence.

An act for the benefit of the sureties of H. M. Wade, late sheriff of Marshall county, on his revenue bond for the year 1869.

An act to amend an act incorporating the Vanceburg Male and Female Academy.

An act for the benefit of Dallasburg school district, in Owen county.

An act for the benefit of inebriates and their relatives.

An act to amend an act, entitled "An act to incorporate the Gaylord Iron and Manufacturing Company," approved March 16, 1869.

Mr. Standeford read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

WHEREAS, We have learned of the recent arrival in the United States of O'Donovan Rossa and his companions, exiles from Ireland, who, after signalizing their devotion to their country, suffered a long imprisonment for their efforts to secure its liberty and independence; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That, sympathizing deeply with all who have labored and suffered in behalf of their native land, and admiring the exertions of those gallant patriots who have struggled, though unsuccessfully, to secure freedom for their people, and for their country its proper place among the nations of the earth, we hereby extend to O'Donovan Rossa and his brother exiles the assurance of such sympathy and admiration, and tender to them a warm welcome to the asylum selected by them in our land.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

Mr. Turner read and laid on the table a joint resolution.

And then the Senate adjourned.

MONDAY, MARCH 6, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to fix the time of holding the court of common pleas in Ballard and McCracken counties, and regulating its jurisdiction in certain cases.

That they had disagreed to the passage of a bill, which originated in the Senate, entitled

An act to provide for payment for the books procured under the act approved March 21, 1870, entitled "An act regarding sheriffs in the Commonwealth of Kentucky."

That they had passed bills which originated in the Senate, of the following titles, viz :

An act for the benefit of A. C. Thomas, late sheriff of Nelson county, and his sureties.

An act changing the time of holding the Warren court of common pleas.

An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Hustonville.'"

An act to incorporate the town of Milledgeville, in Lincoln county.

An act to incorporate the Woodford Railroad Company.

An act to procure the collection of the revenue and county levy of Clay county for the year 1870.

An act to amend an act, entitled "An act to tax incomes on United States bonds," approved March 8th, 1867.

An act to incorporate and endow Graves County Female Seminary.

An act to incorporate the Southern Kentucky Railroad Company.

With an amendment of the title to said bill, which was concurred in.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to define and locate the county line between Breathitt and Lee counties, near the store-house of J. & W. R. Crawford.

An act to establish the weight of Rockcastle coal.

An act to amend an act to regulate the sale and storage of illuminating oils, as far as the same applies to Ohio county.

An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved 3d day of March, 1870.

Resolution instructing our Senators and requesting our Representatives in Congress to oppose the passage of the Cincinnati Southern Railway bill.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Caverna and Burksville Turnpike Road Company.

2. An act to authorize the trustees of the town of Alexandria, in Campbell county, to change an alley in said town.

3. An act to incorporate the trustees of the Baptist Church, in the town of Alexandria, in Campbell county.

4. An act for the benefit of the sureties of Young E. Hurt, late sheriff of Adair county.

5. An act to provide compensation to the clerk of the Campbell circuit court for making cross-index to the suits and records thereof.

6. An act for the benefit of M. H. Johns, of Lawrence county.

7. An act for the benefit of E. M. Flack, sheriff of Todd county.

8. An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

9. An act to incorporate the DeMossville and Gordonsville Turnpike Road Company, in Pendleton county.

10. An act for the benefit of Thomas Monarch, late tax collector of Daviess county.

11. An act to repeal an act, entitled "An act to provide for paying the arrears of pay due deceased soldiers to their widows or heirs," approved August 31, 1862, and all amendments thereto.

12. An act concerning the collection of claims of the State of Kentucky against the Federal Government.

13. An act for the benefit of Barren county.

14. An act to authorize the Fulton county court to levy and collect a tax to build a new jail, and to purchase grounds for the same.

15. An act for the benefit of Spencer county in relation to the Louisville, Harrodsburg, and Virginia Railroad.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 9th to the Committee on Internal Improvement; the 2d to the Committee on the Judiciary; the 3d to the Committee on Religion and Morals; the 4th, 5th, 6th, 7th, 8th, 10th, and 12th to the Committee on Finance; the 11th to the Committee on Military Affairs; the 13th to the Committee on Courts of Justice; the 15th to the Committee on Railroads; and the 14th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. John W. Johnson, from the Committee on Religion and Morals--

An act to prohibit the sale of spirituous, vinous, or malt liquors in magistrates' district No. 2, in the county of Franklin.

By same—

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Saloma, in Taylor county.

By same—

An act for the benefit of Greenville Hill Cemetery, in Woodford county.

By same—

An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the center thereof.

By same—

An act to repeal an act, entitled "An act for the benefit of the citizens of Williamsburg, in Whitley county."

By same—

An act to authorize the citizens of Knox county to vote a tax for the purpose of constructing public buildings.

By Mr. Hawes, from same committee—

An act for the benefit of the Presbyterian Church in the town of Winchester.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

An act to amend title 10, chapter 4, section 467, of the Civil Code of Practice.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend an act incorporating the Northeastern Kentucky Agricultural Association, approved February 22d, 1860, and to legalize the election of officers heretofore, and their acts as such.

By same—

An act to amend first section of an act, entitled "An act to amend the charter of the Washington County Agricultural Society," approved February 20, 1868.

By same—

An act to incorporate the Tradewater Coal and Transportation Company.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act for the benefit of Lincoln county.

By same—

An act changing the time of holding the Montgomery quarterly courts.

By Mr. Tyler, from same committee—

An act for the benefit of the town of Hodgenville, in Larue county.

By same—

An act to extend the time to the Hart county court in which to build fire-proof vaults.

By same—

An act to change the time of holding the February term of the Marion circuit court.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, in Garrard county.

By Mr. Hawes, from same committee—

An act to prevent the sale of spirituous, vinous, or malt liquors in the county of Jackson.

With amendments to the last two named bills, which were concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Talbott—

1. A bill to amend the charter of the town of Danville.

On motion of Mr. Payne—

2. A bill to amend an act, entitled "An act to facilitate the finding of records in the Warren circuit and county courts."

On motion of same—

3. A bill to amend section 1, article 1, of chapter 86, of the Revised Statutes.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, and the Committee on Revised Statutes and Codes of Practice the 2d and 3d.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to amend the charter of the town of Flemingsburg.

By Mr. Talbott, from a select committee—

A bill to amend the charter of the Liberty and Middleburg Turnpike Road Company," approved March 21st, 1870.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

A bill to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville, Ky.

By Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice—

A bill to amend an act, entitled "An act for the benefit of the county court of Union county," approved February, 1871.

By same—

A bill to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Morganfield."

By same—

A bill to amend the road law of Henderson, Union, Taylor, and Grayson counties.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

A bill to amend the charter of the Masonic Temple Company of Louisville.

By Mr. Payne, from the Committee on Banks and Insurance—

A bill to amend the charter of the Warren Deposit Bank.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill for the benefit of Henry county.

By Mr. Fox, from same committee—

A bill to change the time of holding the circuit courts of Pulaski county, in the 8th judicial district.

By same—

A bill to change the time of holding the Warren quarterly court.

By Mr. Tyler, from same committee—

A bill to increase the jurisdiction of the police court of the town of Lebanon, in Marion county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of John C. Gardner, late clerk of the Fulton circuit court;

An act for the benefit of Emma Wade, widow of Wm. M. Wade, deceased;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies;

An act authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky;

An act to fix the time of holding the court of common pleas in Ballard and McCracken counties, and regulating its jurisdiction in certain cases;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

Mr. Prichard presented the supplemental report of the commissioners appointed under an act for the improvement of the Big Sandy river, with an accompanying document—the engineer's report of survey, viz:

To the General Assembly of the Commonwealth of Kentucky, convened at Frankfort:

GENTLEMEN: The undersigned, Commissioners appointed by your body to superintend expenditures under the Big Sandy appropriation, beg leave herewith to submit (supplementary to their report heretofore made) the report of Col. J. R. Straughan on the preliminary survey of said river.

With much consideration, &c.,

Your obedient servants,

GEORGE N. BROWN,
JAMES A. BARRET,
JAY H. NORTHUP,
NELSON HAMILTON,
WILLIAM J. MAY,
Commissioners.

REPORT OF COL. J. R. STRAUGHAN, CIVIL ENGINEER.

To Geo. N. Brown, James A. Barret, J. H. Northup, Nelson Hamilton, and W. J. May, Commissioners for the Improvement of the Big Sandy River:

My first impressions upon taking charge of the survey of the Big Sandy, for the purpose of slack-water navigation, were not favorable. The bed of the stream, the banks, and the entire material compos-

ing the valley being sand, so fine and so uniform in its composition as to be readily washed and carried by the currents.

A region of near four thousand square miles of mountains and hills sends its surplus waters down this valley, and sometimes so quickly as to surprise even its own inhabitants. Large drift-logs hanging in tree tops, fifty feet overhead, indicate very plainly the volume and power of this river in its times of flood.

Further acquaintance, however, presented other and more favorable features. In many places the valley is confined between hills of rock not six hundred feet apart, and the rocky bed of the river not more than eight or ten feet below the surface of low water. Then the fall of the stream is not greater than others of its extent in more level regions, which have been successfully "slacked."

From the mouth to Louisa, 27⅔ miles, the fall is 1.02 feet per mile; from thence to the mouth of Paint creek, 39¾ miles, 1.33 feet per mile; and from Louisa to Wolf creek, 35⅛ miles, 1.64 feet per mile.

The Muskingum, in Ohio, is 88 miles from Marietta to Dresden, having 1.20 feet per mile. The Ohio river, from Pittsburg to Catlettsburg, is 323 miles, with 222 feet fall, and thence to Cincinnati, 153 miles, with 65 feet of descent.

I have said this much on the subject of fall, because every one knows that the more rapid the stream the greater difficulty in maintaining any structures within it; and, to the hydraulic engineer, the cross-section of a stream up to its high-water line, together with the fall per mile, are his data for calculating the velocity and volume of the water which his structures are to resist. To successfully slackwater this river is, therefore, not an impossibility, but simply a question of cost; and this cost as readily computed as any other work ordinarily intrusted to civil engineers.

But, before entering upon the estimates, it may be proper to speak of the fear entertained by some that the pools between dams might become "silted up" with sand to such extent as to obstruct or impede navigation. It is true that great quantities of sand are constantly being drifted along from the smallest rills into the branches; thence into the river, and out into the Ohio river. The sand-bars at Cincinnati are largely composed of sand identical in structure with that of the Louisa and Tug Forks of the Big Sandy.

This process will continue with or without dams. At one stage of the water sand from some spots is removed to certain other spots; from these it is again removed, at a different stage of water, to other

points due to this latter condition of the stream, obeying two of the most accurate and well defined laws of matter, gravity and the force of currents.

At the mouth of Rockcastle, on the Tug Fork, is a natural dam, called the "Falls of Tug," known to every one in that region, and serving to illustrate the question under consideration. It is a dike of trap-rock extending quite across the river, so hard as to remain, while the softer rock for a considerable distance up the stream has been scooped out down to a level many feet lower than this dam.

This portion of the river is not "silted up," but is one of the deepest pools to be found.

The reasons for this lead into explanations of principles in hydraulics too extended for this report; yet some idea may be obtained by mentioning some facts well known and not requiring explanation:

1st. Sands of the bottom are easier of removal than those of the sides, and are subjected to a greater force.

2d. The higher the flood the greater is the weight and momentum, as also the greater velocity.

These are the forces that have scooped out the entire valley where was once solid rock; the process still goes on, and as powerfully immediately above the "Falls" (or any dam) as at any other point.

Dams erected in very small branches, where the fall is very great and the volume of water limited, do become silted up—even full. The great fall brings in the heavy as well as light material; and the volume of water is too small and of too short continuance, to remove it from the level resting place it has found; but in the many *rivers* of the United States which have dams, this process of "silting up" does not occur to any appreciable extent.

It is true that heavy floods clean out a great cavity below a dam, forming a bar at a short distance therefrom; but these are easily removed, at small cost, by "flooding" water through the paddle-gates of the locks, and other devices arranged for the purpose.

In the State of Michigan are many dams upon as large streams, passing through regions as eminently sandy, with the disadvantage of no rock bottom, and no rock for any of the structures, which are entirely of timber, upon a foundation of piles.

You can have locks and dams founded upon rock, and built at less cost than has usually to be paid for such work, owing to the constant presence in unlimited quantity of excellent stone and timber, to the convenience of all needed supplies, and to the advantages of a healthy

climate. But the very high levels reached by floods, and the friable nature of the river banks, will require much skill in the planning, and an unusual amount of "rip-rap" protection at and below each dam.

The main structures—locks and dams—at the several points, will not vary materially in cost; but the cost of protection will be much greater in some localities than others; and I have, accordingly, taken notes as carefully as possible upon this class of work. In all my estimates, I have endeavored to cover first-class material and first-class work, as no other would answer, even temporarily. Unless the whole work be absolutely safe and permanent, the entire investment would be worse than thrown away, and disgrace attend all parties concerned.

ESTIMATES.

For the dams my estimate is based upon a plan of hewn timber frame-work (cribbing), filled in with stone, and covered upon top and upper slope with heavy plank; the lower slope presenting an entire timber front to resist the back action of drift timber.

The shape of the lower face of dams should vary according to the height of each, and the velocity of the water, which is governed by the initial force imparted by the average fall of the stream above. Much of the injurious effects below a dam may be provided against by the shape of the lower slope or "spill."

No "aprons" are at first put in, nor until the action of the water has excavated the river bed to a considerable depth. When constructed in deep water are most permanent, and it is not desirable to attach aprons substantially to the main structure of the dam at any time.

For the locks and abutments first-class rock-range work is estimated, laid in courses, with the whole interior of the walls composed of well-shaped blocks laid in cement mortar, and well bonded throughout.

The chambers of locks to be 182 feet between gates, and 44 feet wide, with 5½ feet water on the lower mitre sill at the lowest stage of the river, and capable of passing through at one time four barges, each 20 by 90 feet, and drawing 5 feet water, with capacity for 6,000 bushels coal. Seven or eight such barges, forming perhaps the most economical fleet for one steamer of the size usual in the upper Ohio.*

*The Annie Laurie, from tip to tip, is 175 feet long, 38 feet wide.
The Allegheny Belle, from tip to tip, is 175 feet long, 40 feet wide, 225 tons.
Allegheny river locks, 182 feet long, 48 feet wide.
Muskingum river locks, 175 feet long, 36 feet wide.

For filling the locks, besides the usual wickets in the gates, two side sluices are provided, for the more speedy passage of boats, and especially for use in avoiding dangerous agitation while locking through small craft.

Behind the lock-wall on the land side is provided an arched passage-way, and extended down for one hundred feet below the foot of the lock, through which to discharge the spare water of the river to mills and factories. The revenue from this source ought, at no distant day, to equal the cost of keeping up the entire improvement.

But besides this, sluice gates, at the lower end, perform the indispensable service of "flooding out" the sand-bar that accumulates at or near that point when it accumulates at all.

As floods are sometimes very high—fifty feet above low-water mark—and as the existence of the dams at certain high stages of water will become no obstacle to navigation, the height of the lock walls need not extend above the point at which it ceases to be useful; but above this point the protection becomes most imperative.

Protection walls, laid up dry against the slopes of the banks to a height greater than is ever reached by floods, and in length from a point a short distance above to some hundreds of feet below the agitating effect of the dams, will be required on both sides of the river.

In both the height of the lock-walls and the extent of this protection, each locality or dam must be governed by its own circumstances; by the height and length of the dam; by the area of the wetted border of the cross-section of the river above, and by the velocity due to the average inclination of the stream.

Of these I have made only approximate calculations, as the locations I have selected may not be found, upon closer investigation, to be the best; but in these, and all my estimates, I have sought to be above, rather than below, the actual cost.

PRICES IN THE WORK.

For rock masonry, per cubic yard, $6; dry wall, $2; rip-rap, $1; crib-filling, $1 60; puddling, 50 cents; excavation above water, 13 cents; below water, 30 cents; timber, 20 cents per cubic foot; flatted, 14 cents; plank, $20 per thousand; wrought iron work, 8 cents; cast, 6 cents.

Number of dam.	LOCATION.	Length of dam.	Length of lock.	TOTAL COST				
				Of dam.	Of lock.	Of abutment.	Of protection.	Total.
1	Catlettsburg	280	12.	$10,640	$35,000	$4,800	$6,000	$56,440
2	Prichard's	280	12.	10,640	33,500	4,650	5,600	54,390
3	McLaughlin's Run	240	12.	9,820	32,800	4,650	5,000	52,270
4	Gavit's Shoals	200	11.50	7,600	31,000	4,000	4,400	47,000
5	Peach Orchard	200	12.00	8,600	32,000	4,000	4,400	49,000
6	Davis' Shoals	200	11.60	8,000	33,300	4,000	4,000	49,300
7	Greasy Shoals	200	12.40	6,800	31,200	3,800	4,000	45,800
	TUG FORK.							
8	Cave Rock	200	12.	6,800	31,000	3,800	4,200	45,800
9	Falls (head)	200	12.40	6,000	30,500	3,400	3,000	42,900
10	Twisting Shoals (head)	200	12.	6,600	30,800	3,500	2,700	43,600
11	Mill's Riffles (foot)	200	12.20	6,500	30,600	2,500	2,300	40,900
12	Lick Shoals (foot)	200	12.20	6,200	30,000	3,500	2,000	41,700
								$569,100

In estimating a price upon masonry, crib-filling, and stone protection, the favorable circumstances at every dam are much greater than I have been accustomed to. By a short tram-railway, the item of hauling is reduced to a very low cost, and may be prosecuted in any weather. No stripping of quarries is required, and the rock capable of being quarried into dimension stone without waste. Upon these items, which constitute eighty per cent. of the whole cost, I think it quite probable responsible bidders would offer at ten per cent. below my estimate.

Of the engineering and incidental expenses proper, the total cost would depend upon the length of time occupied, and would be about $14,000 per year. To do the work properly, without forcing contractors beyond economical management, in order to hasten the completion, eighteen months would ordinarily be time sufficient, if so begun as to give to it two summers and one winter.

The work just accomplished by your commission in cutting loose all drift timber, breaking up all rocky obstructions, and excavating channels through the worst shoals, has been well accomplished for the amount of money expended; and I heard no complaint among practical boatmen except, perhaps, that more of the same sort would have been still better.

For navigating the natural river as it now is, the raftsmen are saved from the dangers of many obstacles, so important as to have

names in their vocabulary, and at which serious disasters had occurred. They may now sleep at points heretofore requiring extreme vigilance and undoubted skill.

All the work which has been done is not only of great benefit for the present manner of navigation, but will be as useful in case of the construction of slack-water.

OF A RAILROAD.

As these are being constructed in all directions, constantly occupying the columns of newspapers and the minds of men, it is not strange this device for transportation should have its friends in the Sandy Valley. But it is a costly luxury, not only in the first construction, but in its daily maintenance.

In regions ordinarily favorable for their construction, none cost less than $30,000 per mile when fully equipped and accommodated with depots and machine-shops. The 110 miles supplied by these dams, if substituted by a railroad, would, ordinarily, then cost $3,300,000. But to construct a railroad along that river sixty feet above low water, crossing so many tributaries always upon bridges sixty feet high, and protecting its banks almost continuously against the action of floods, would swell the cost far beyond that of ordinary roads. It is far more crooked with sharp curves than inexperienced eyes can credit, as shown by the maps herewith presented.

It would accommodate the traffic *only upon one side of the river.*

It is neither now, nor prospectively, upon any great leading line of international communication, and must therefore depend upon its local traffic for support. That support would be chiefly coal and lumber—neither of which bears much handling before all the profit sticks to the fingers of others than the proprietors.

Under all the conditions possibly favorable, the railroad must have one cent per ton per mile for transportation, and it is not yet conceded that this price has ever proven adequate. It must have a regular daily business, and not be idle when the Ohio river is low, and must discharge its coal (or lumber) into barges upon the river. Besides the cost of this, there is damage and delay.

Thus, from Paint creek or Warfield, to the Ohio river, would cost about 2½ cents per bushel, and from thence to Cincinnati almost as much as it would, by water, cost from the mines to Cincinnati.

By means of barges, such as before mentioned, a tow of seven, with an ordinary steamer, would cost not to exceed $40 each—$280

for the round trip—45,000 bushels, which makes a cost of $\frac{3}{4}$ of one cent per bushel from the mines to Cincinnati; to this add $\frac{1}{3}$ cent for tolls.

The same boat is far more convenient to bring back into the Upper Sandy country every kind of supplies for the miners and people, and at proportionally cheaper rates.

It is these cheap rates, and constant availability of transportation, that is needed to develop that country; nor will it ever be developed without; fifty years of unavailing effort has proved it.

Thus a railroad would cost from six to ten times as much; would accommodate only one side of the river, and would not accommodate that side so well and so cheaply as slack-water navigation.

THE TRAFFIC OF THE BIG SANDY.

Statistics of this traffic are nowhere systematically kept, and had to be sought from many quarters at great inconvenience.

For the following, I am indebted to the kindness of Judge M. J. Ferguson, of Louisa, whose opportunities and natural *penchant* for facts and figures, add the highest value to his statement, viz:

STATISTICS OF THE BIG SANDY VALLEY.

Exports from the Sandy Valley for the year ending July 1st, 1870, embracing only that portion of the Valley which now finds an outlet by the river with its present facilities, and excluding such part of the territory as seeks an outlet overland to other markets for want of facilities within the Valley.

ARTICLES EXPORTED.	VALUE.
Saw-logs, sawed lumber, and fencing posts	$550,000
Staves, split and sawed, and spoke timbers	80,000
Tan-bark	75,000
Keg timbers	8,000
Hoop-poles	25,000
Barges and small craft	45,000
Fruit (dried and green)	40,000
Feathers, beeswax, honey, ginseng, tallow, hides, furs, poultry, eggs, butter, flax-seed, rags, beans, scrap iron, and produce of country stores	165,000
Wheat and corn	50,000
Potatoes	6,000
Live stock (horses, cattle, mules, hogs, and sheep)	175,000
	$1,219,000

This estimate has been made from memoranda collected from merchants, timber dealers, and common carriers, and recently revised.

It is made upon the following basis and criterion of value:

The timber is valued at 12½ cents per cubic foot, and a fleet of saw-logs set down as of the average value of $3,500 in the Cincinnati and Louisville markets.

The split staves at $18 per thousand, and the sawed at $30 per thousand—a barge load reckoned to contain 100,000 staves.

The tan-bark at $15 per cord—and a barge load reckoned to contain 100 cords.

Barges and other craft producing $2 per lineal foot.

The item of $165,000 from country stores is ascertained by counting the number of stores at 110, and their average export at $1,500 each. This is believed to be much under the true value.

The item of wheat and corn is set down very low, because no such exports were made before 1868, and in that time this product has been variable, and much of the wheat sent out was sent to be manufactured at Cattlettsburg, Ky., and elsewhere, and was returned in flour. The gross export would probably double the present estimate.

There has been much difficulty in estimating the value of live stock, and it is believed that this item is very low.

These exports have, since 1866, increased more than 25 per cent. annually, and some of the smaller products at a much greater rate; for example, in one county, in 1866, the sale of eggs did not exceed $1,000, while in 1870 it amounted to about $12,000. This is situated near the mouth of the river, and where more than half of the producers were visited by the hucksters and peddlers.

Any general improvement of the facilities of shipment in the Sandy Valley would throw into it the exports that now go overland, to say nothing of the stimulus to trade in the products already mentioned.

No mention is made of the prospective results and the development of coal. My object being to give, as nearly as possible, the present export values.

M. J. FERGUSON.

FEBRUARY 5, 1871.

The following rates of tolls on the canals of Ohio and Indiana is given from which to base a calculation of what the tolls on the foregoing items in Judge Ferguson's list would amount to—premising that in those States the business of the most important points on the canals is also tapped by railroads, and the tolls are arranged unevenly because of competition in some articles and not in others.

TOLLS ON 1000 POUNDS ON 60 MILES OF CANAL.

Ranging from 2¼ mills per ton per mile to 1½ cents.

ARTICLES.	Ohio.	Indiana.
Oats, corn, &c.	$0 21	$0 24
Wheat	25	28
Machinery	25	17
Pork, flour, and bacon	25	15
Merchandise	11	9
Lumber, per 1000 feet	58	65
Shingles, per 1000	6	9
Laths, per 1000	9	7
Salt and lime, per barrel	3	2

The quantities in Judge Ferguson's schedule, reduced to pounds and feet, and calculated at the foregoing rates of tolls, would amount to	$39,200 00
Add 300 round trips of steamers at $10	3,000 00
	$42,200 00
Add tolls on upward-bound freight—far less than the down freights in tonnage, but upon articles bearing higher class tolls	21,100 00
	$63,300 00

Thus the tolls at the foregoing low rates would amount to $63,300 per annum.

Leaving the consideration of the revenue upon the present traffic of this river, which exports not one ton of her coal and salt, both of which could be produced in unlimited quantity, we come to the

PROSPECTIVE TRAFFIC OF THE BIG SANDY.

This river is the natural outlet of a region equaling one twelfth in extent of the whole State of Kentucky. It is covered with dense forests of valuable timber. Its soil, where arable, is fertile; and where the plough cannot serve, its grasses and fruits have no superior. Coal, bituminous and cannel, are almost everywhere found; and strong salt-brine has been reached in scores of borings; but although private enterprise has faithfully made the trial, no coal or salt is now produced. *The suspensions of low water and the risks of navigation are insurmountable by private enterprise.*

By proving that this region could supply as good coal as the Pittsburg, to Cincinnati and Louisville, and at cheaper rates, is demonstrating that it would at least furnish half the supply needed.

The Pittsburg coals come down the Allegheny by slack-water, an average distance about equal to a similar transportation on the Sandy. The barge of coal lies at Catlettsburg at a cost identical with a barge at Pittsburg. The Pittsburg barge has much more waiting for water in the upper Ohio than the Catlettsburg barge. Indeed the latter waits but little, either for water or because of ice; and these are the seasons for the best prices on coal. The one is 476 miles and the other 153 miles from Cincinnati. Advantages natural, inherent, and forever.

Of the quality of the coals I need only refer to the prices paid in Cincinnati for the Peach Orchard coal (from the Louisa Fork of Sandy) in the days when that company struggled to build up a business. It stood side by side with the Pittsburg coal, and at present the price of the cannel coal is equal. The Peach Orchard is only one of four fine workable veins; another is the block-coal, now best known at Ashland, and used in the raw state for smelting iron ore.

Give the Kentucky mines an outlet to the Ohio, and they will furnish Cincinnati and Louisville their coal. No statistics are at hand to know the amount consumed in these cities; but the two ought to require twice as much as Cleveland, which received 800,000 tons last year. At 12½ cents per bushel ($3 50 per ton) amounts to $2,800,000, or $5,000,000 for the two river cities per annum, with the demand increasing. If one half this amount came out from the Sandy, the tolls upon it, at the reduced Ohio rates, would alone amount to $100,000, or 16⅔ per cent on the cost of the improvement. It would distribute $2,500,000 among the people, begetting many kinds of enterprise, and these would add again to the river traffic.

The hydraulic power at each of the dams ought to yield a revenue equal to the cost of supervision and repairs of the improvement, while at the same time furnishing the power by which timber may be manufactured into articles of valuable export, and materially swelling the business of river transportation.

At the lowest stage last fall, I gauged the amount of water that was passing in the Tug Fork, near Warfield, and found it to be 108 cubic feet per second. Allowing two thirds of this amount for the lockage of crafts, and wastage through the dams, and one third for hydraulic purposes, we have 2,160 cubic feet per minute; and this, acting upon a modern re-action wheel under a 12-foot head, would equal a 38-horse power engine, or sufficient for four pairs of burrs. The power sufficient for one pair of stones is usually rented at from $300 to $500 per annum. At the smaller price, amounting to $14,000 per year, for the value of the hydraulic power of the Sandy river, when developed.

Salt would be produced in quantity, only governed by the demand. The borings are sunk at scores of points; strong brine reached, and thick veins of coal at the very furnace mouth.

To become a most favored locality for this production requires only a reliable and constant navigation.

The lumber that now goes out (really the only export) goes at flood-time; gluts its own market, and barely pays the labor of its cutting and marketing. Thus, for a pittance, furnishing the raw material to the manufacturers, out of which they build their fortunes.

The Big Sandy, once faithfully and permanently improved, would immediately enter upon its mission of good, and produce a revenue in all probability far above the interest on its cost of construction. But viewing the enterprise in the opposite light, as some may be inclined, and supposing it may yield no net revenue, we may take up the subject of indirect returns to the State at large.

There is drained by, and subject to the beneficial influence of, this improvement, about 4,000 square miles, or 2,500,000 acres. That portion adjacent the river receiving the first and most apparent benefit, say to the extent of five miles on each side for 100 miles, or 640,000 acres, would be enhanced in value by an average of $5 per acre, swelling the tax duplicate by $3,200,000 on this portion of the area. Outside of this, the next area of equal size would advance $2 per acre, and all the balance $1, a total on the land of $5,760,000, upon which the taxes, at 5 mills on the dollar, amounts to $57,600 per

annum. The influx of people and capital devoted to developing the natural elements referred to would largely increase the taxable property of the State, insomuch that the river improvement would be very remunerative to the State even if its net revenue was nothing.

Many and vigorous companies have made bold effort to work the minerals of this region, which now lie dormant and hopeless, without aid from the State. Over one million of dollars has thus been expended by only a few of the most prominent of these companies. Their mines are opened; the quality and quantity of coal demonstrated; their buildings, and mills, and boat-yards lie tenantless and idle; idle now, but ready, at the first dawn of hope, to spring into life and profitable activity. They ask aid which they think they will pay back with four-fold usury.

J. R. STRAUGHAN,
Civil Engineer.

Mr. Wm. Johnson read and laid on the table a joint resolution in reference to said report, &c.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That ten copies of the supplemental report of the Commissioners of Big Sandy river, and the engineer's report accompanying, be printed for the use of each member of this General Assembly, and that the Public Printer furnish the same enveloped and stamped.

The question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Prichard, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Wm. L. Conklin	K. F. Prichard,
Jos. M. Alexander,	G. W. Connor,	I. A. Spalding,
A. K. Bradley,	W. McKee Fox,	A. G. Talbott,
R. A. Burton,	William Johnson,	A. C. Vallandingham,
W. H. Chelf,	John W. Johnson,	Ben. J. Webb,
Harrison Cockrill,	D. Y. Lyttle,	Emery Whitaker—18.

Those who voted in the negative, were—

Robert Boyd,	W. H. Payne,	Oscar Turner,
J. H. Dorman,	Lewis Perrin,	H. A. Tyler—7.
Edwin Hawes,		

On motion of Mr. J. W. Johnson,

Ordered, That a committee be appointed, to act in conjunction with a similar committee to be appointed on the part of the House of Rep-

resentatives, to wait upon the Governor and ask the withdrawal of a bill, originating in the House of Representatives, which had passed both Houses, entitled

An act to amend the charter of the town of Cromwell, in Ohio county.

Whereupon, Messrs. J. W. Johnson and Vallandingham were appointed said committee.

The Senate took up for consideration the motion heretofore entered to reconsider the vote by which the Senate had rejected a bill, entitled

A bill for the benefit of Johnson county.

And the question being taken on said motion, it was decided in the affirmative.

The vote by which said bill was ordered to be engrossed and read a third time being then reconsidered, Mr. Gardner moved an amendment to said bill as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was sent to the House of Representatives to withdraw the announcement of the Senate's passage of a bill, originating therein, entitled

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company."

The votes by which said bill was ordered to be read a third time, and said reading was dispensed with, being reconsidered, Mr. Wm. Johnson moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The committee appointed to withdraw from the Governor a bill, which had passed both Houses, originating in the House of Representatives, entitled

An act to amend the charter of the town of Cromwell, in Ohio county,

Handed in said bill at the Clerk's table.

A message having been sent to the House of Representatives, and the announcement of the Senate's passage of said bill withdrawn, the vote by which said bill was passed was reconsidered.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The Senate took up for consideration the resolution read and laid on the table by Mr. Turner on yesterday.

Which was read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the two Houses of the General Assembly adjourn on the 10th day of March next, they will adjourn *sine die*.

Mr. Webb moved to amend said resolution by striking out the word "tenth," and inserting in lieu thereof the word "fourteenth.

A division of the question being demanded,

The question was first taken on striking out "tenth," and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Harrison Cockrill,	Lewis Perrin,
Jos. M. Alexander,	W. McKee Fox,	I. A. Spalding,
A. K. Bradley,	Edwin Hawes,	Ben. J. Webb,
R. A. Burton,	D. Y. Lyttle,	Emery Whitaker—14.
W. H. Chelf,	W. H. Payne,	

Those who voted in the negative, were—

F. M. Allison,	J. H. Dorman,	A. G. Talbott,
Robert Boyd,	Joseph Gardner,	Oscar Turner,
Wm. L. Conklin,	William Johnson,	H. A. Tyler—10.
Lyttleton Cooke,		

The question was then taken on inserting the word "fourteenth," and it was decided in the affirmative.

The question was then taken on the adoption of the resolution as amended, and it was decided in the affirmative.

Mr. Hawes, from the Committee on Religion and Morals, to whom had been referred a bill from the House of Representatives, entitled

An act to prohibit the sale of intoxicating liquors in district No. 9, in Meade county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooke and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	W. H. Payne,
Robert Boyd,	Joseph Gardner,	A. G. Talbott,
R. A. Burton,	Edwin Hawes,	H. A. Tyler,
W. H. Chelf,	Wm. Johnson,	A. C. Vallandingham,
Harrison Cockrill,	John W. Johnson,	Ben. J. Webb—17.
Wm. L. Conklin,	D. Y. Lyttle,	

Those who voted in the negative, were—

Jos. M. Alexander,	Lyttleton Cooke,	I. A. Spalding,
F. M. Allison,	W. McKee Fox,	Oscar Turner,
A. K. Bradley,	Lewis Perrin,	Emery Whitaker—9.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees, to whom they had been referred, with the expression of opinion that they ought not to pass, viz:

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act for the benefit of Dunaway Church, in Clark county, and the protection of religious worship therein.

By Mr. Hawes, from same committee—

An act explanatory of "An act to regulate the sale of intoxicating drinks in Hawesville and its vicinity," approved March 21, 1870.

By Mr. Tyler, from the Committee on Courts of Justice—

An act for the benefit of W. J. Lisle.

By same—

An act to amend an act, entitled "An act authorizing the legal voters of the county of Lee to locate the county seat of said county," approved January 28th, 1871.

The question being severally taken on ordering said bills to be read a third time, respectively, it was decided in the negative.

So said bills were disagreed to.

Mr. Webb, from the Committee on Agriculture and Manufactures, reported, without amendment, a bill, which originated in the House of Representatives, to them referred, entitled

An act to amend an act, entitled "An act for the protection of small birds and other game."

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

Mr. Tyler, from the Committee on Courts of Justice, to whom was referred an amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend the 2d and 3d sections of an act, entitled "An act to establish the Sixteenth Judicial District," approved February 18, 1868, and to regulate the time of holding the circuit courts therein,

Reported that said amendment should be concurred in.

The question being taken on concurring, it was decided in the affirmative.

Mr. Bradley, from the Committee on the Revised Statutes and Codes of Practice, to whom was recommitted a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Cloverport,

Reported the same with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Talbott, from a select committee, reported a bill, entitled

A bill for the benefit of Mrs. Matilda Taylor, of Boyle county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it may be lawful for Mrs. Matilda Taylor, of the county of Boyle, and town of Danville, to dispose of her house and lot in said town, where she now lives, in shares; and for that purpose may

issue and sell, by herself or agents, as many certificates, representing portions of said house and lot, or blanks, as she or her agents may think proper.

§ 2. That Milton J. Durham, Dr. Thos. W. Jackson, T. J. Dillehay, Jas. W. Gregory, E. H. VanWinkle, and Chas. H. Rodes, be, and they are hereby, appointed commissioners, any three or more or all of whom may act, whose duty it shall be to determine, by lot, to what shareholder or shareholders any portions of said house and lot shall belong, and to whom the title thereto shall be made, and to do and perform such act as may, in their opinion, be necessary to carry this act into full effect.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	W. McKee Fox,	I. A. Spalding,
R. A. Burton,	D. Y. Lyttle,	A. G. Talbott—8.
G. W. Connor,	W. H. Payne,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	Lewis Perrin,
Jos. M. Alexander,	J. H. Dorman,	H. A. Tyler,
Robert Boyd,	Joseph Gardner,	A. C. Vallandingham,
A. K. Bradley,	Edwin Hawes,	Ben. J. Webb,
W. H. Chelf,	Wm. Johnson,	Emery Whitaker—17.
Wm. L. Conklin,	John W. Johnson,	

So said bill was rejected.

Mr. Tyler, from the Committee on Courts of Justice, reported a bill, entitled

A bill authorizing the county court judge of Madison county to grant a license to Richard H. Lamb to retail ardent spirits.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Tyler, from the Committee on Courts of Justice, asked that said committee be discharged from the further consideration of a leave to bring in a bill, entitled

A bill to increase the jurisdiction of the quarterly courts of the counties of Estill and Powell.

The question being taken thereon, and being decided in the negative.

Said committee reported said bill.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the quarterly courts for the counties of Estill and Powell shall have concurrent jurisdiction with the circuit courts within their several counties of all actions for the recovery of money or personal property where the matter in controversy, exclusive of interest and cost, does not exceed three hundred dollars in value.

§ 2. That this act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Chelf, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Holt),	W. McKee Fox,	A. G. Talbott,
Jos. M. Alexander,	Joseph Gardner,	Oscar Turner,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
Harrison Cockrill,	D Y. Lyttle,	Ben. J. Webb—14.
J. H. Dorman,	W. H. Payne,	

Those who voted in the negative, were—

A. K. Bradley,	Edwin Hawes,	I A. Spalding,
W. H. Chelf,	William Johnson,	H. A. Tyler,
Wm. L. Conklin,	Lewis Perrin,	Emery Whitaker—10.
Lyttleton Cooke,		

Resolved, That the title of said bill be as aforesaid.

And then the Senate adjourned.

TUESDAY, MARCH 7, 1881.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend sections 4 and 23, article 2, chapter 56, Revised Statutes, title "Landlord and Tenant," and sections 721 and 722, Civil Code of Practice.

Title changed to read,

An act to amend sections 714, 721, and 722, Civil Code of Practice.

An act to amend the charter of the city of Dayton, in Campbell county, and for other purposes.

Title changed to read,

An act to amend the charter of the city of Dayton, in Campbell county.

An act to amend the charter of the town of Ceralvo, in Ohio county.

Title changed to read,

An act defining the jurisdiction of the marshal of the town of Ceralvo, in the county of Ohio.

An act in relation to official sales in Boyle county.

Title changed to read,

An act in relation to official sales in Boyle and Lincoln counties.

An act to amend section 367 of the Civil Code of Practice.

An act to amend section 2, article 1, of chapter 48, Revised Statutes, title "Idiots and Lunatics."

An act in relation to the sale of spirituous liquors in Morgan county.

An act to amend chapter 84, title "Roads and Passways," Revised Statutes.

An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

An act to establish C. L. S. Mathews as a citizen of Cumberland county.

Title changed to read,

An act defining the boundary line between the counties of Cumberland and Adair.

That they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution in relation to claims against the United States Government for tolls on Green and Barren rivers.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Eminence and Mulberry Turnpike Road Company.

An act to amend the charter of the town of Harrodsburg.

An act to amend the charter of the Oakland Plank Road Company of Jefferson county.

An act to amend an act, entitled "An act to repeal section 3 of the charter of Catlettsburg."

An act to amend the charter of the city of Hickman.

An act to amend the charter of the city of Augusta.

An act to amend the charter of the Louisville and Jefferson County Association.

An act to reduce into one the several acts in regard to the town of Somerset.

An act to amend the charter of the town of Catlettsburg.

An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Paris.

An act to incorporate the town of Sanders, in Gallatin county.

An act to amend the charter of the town of Wyoming.

An act to amend the charter of the town of Bethel.

An act to amend an act, entitled "An act incorporating the town of Hustonville, and the several acts amendatory thereof."

An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts.

With an amendment to the last named bill, which was referred to the Committee on Education.

On motion of Mr. W. Johnson, leave was given to bring in a bill, entitled

A bill to amend chapter 97 of the Revised Statutes, title "Sureties and Co-obligors."

Which was referred to the Committee on Banks and Insurance.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act for the benefit of S. B. Huey, of Boone county.

2. An act to amend the charter of the Licking and Big Sandy Railroad Company.

3. An act to authorize the marking, and defining, and establishing the line between the counties of Pendleton and Grant.

4. An act to authorize the condemnation of land for cemetery purposes in Pendleton county.

5. An act for the benefit of J. W. Hazelrigg, and the heirs of E. E. Duke, deceased.

6. An act for the benefit of Shadrach Combs, sheriff of Letcher county, and his sureties, for the year 1869.

7. An act to authorize John B. Goff to erect a boom across Big creek, in Martin county.

8. An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867.

9. An act to authorize Garret Ratliff to erect a boom across Rockcastle creek, in Lawrence county.

10. An act to amend an act, entitled "An act for the improvement of the Big Sandy river," approved February 10, 1870.

11. An act for the benfit of school district No. 22, in Madison county.

12 An act authorizing the county judge of Logan county to appropriate money to keep in repair the turnpike roads in Russellville, in said county.

13. An act to increase the county levy of Cumberland county for county purposes.

14. An act to amend an act, approved February 17, 1871, to prevent the sale of spirituous liquors, &c., in the town of Burksville.

15. An act to amend an act, entitled "An act to incorporate the Webster Coal Company," approved March 9, 1867.

16. An act to incorporate the Henderson Fence Company.

17. An act to incorporate the town of Spottsville, in Henderson county.

18. An act to incorporate the Louisville Stock-yard Company.

19. An act to incorporate the Kentucky Masonic Mutual Relief Association.

20. An act to incorporate the First Baptist Church of Louisville.

21. An act to incorporate the Kentucky Annual Conference of the Colored Methodist Episcopal Church in America.

22. An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company."

23. An act to incorporate the Iron Works Turnpike Road Company.

24. An act to incorporate the Gano Hill Turnpike Company.

25. An act to incorporate the Big Eagle and Connersville Turnpike Company.

26. An act to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Company.

27. An act to amend the charter of the city of Frankfort.

28. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Georgetown," approved March 1st, 1847.

29. An act to incorporate the Teutonia Maeunerchor of Louisville.

30. An act to incorporate the Machinists' and Blacksmiths' Benevolent Society of Louisville.

31. An act to amend and reduce into one the several acts in reference to the town of Eminence.

32. An act to extend and enlarge the corporate limits of the town of South Carrollton, in Muhlenburg county.

33. An act to amend and reduce into one all the acts concerning the town of Edmonton.

34. An act to incorporate the United States Lithographic Stone Company, in Woodford county.

35. An act to incorporate the Kentucky Baptist Historical Society.

36. An act to amend the charter of the town of Mayfield.

37. An act to incorporate the Cumberland Presbyterian Church, of Mayfield.

38. An act to amend an act, entitled "An act to incorporate the town of Pleasureville, in Henry county."

39. An act to authorize the election of town officers for Mackville, Washington county.

40. An act to incorporate the town of Morses, in Graves county.

41. An act to prevent the sale of spirituous liquors in the town of Middleburg, Casey county.

42. An act to amend an act, entitled "An act to amend the Concord and Tollsboro Turnpike Road Company."

43. An act to incorporate the town of Tollsboro.

44. An act to amend the charter of the Beargrass Transportation Company.

45. An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville."

46. An act to incorporate the Louisville Fireman's Benevolent Association.

47. An act to require turnpike road companies in Lewis county to make annual settlements with the county judge.

48. An act to incorporate the Obion Presbytery of the Cumberland Presbyterian Church, in western Kentucky.

49. An act to incorporate the town of Knowlesburg, in Morgan county.

50. An act to incorporate the town of Mount Olivet, Robertson county.

51. An act to incorporate the Quick's Run and Stout's Landing Turnpike Company.

52. An act to incorporate Canton Lodge, No. 170, Independent Order of Odd Fellows.

53. An act to incorporate the Orphans' Home Lodge, No. 178, I. O. O. F.

54. An act to incorporate Mephebosheth Lodge, No. 184, I. O. O. F., at Princton.

55. An act incorporating College Street Presbyterian Church at Louisville.

56. An act to amend the charter of the town of Midway.

57. An act to amend an act, entitled "An act incorporating Sherburn Bridge Company," approved March 9, 1854.

58. An act to amend 2d section of an act, entitled "An act to amend the charter of the town of Springfield."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th, 6th, 8th and 13th to the Committee on Finance; the 2d and 45th to the Committee on Railroads; the 3d to the Committee on Propositions and Grievances; the 4th to the Committee on Courts of Justice; the 7th, 9th, 10th, 12th, 23d, 24th, 25th, 26th, 42d, 44th, 47th, 51st, and 57th to the Committee on Internal Improvement; the 11th to the Committee on Education; the 14th, 20th, 21st, 35th, 37th, 41st, 48th, and 55th to the Committee on Religion and Morals; the 15th, 16th, 18th, and 22d to the Committee on Agriculture and Manufactures; the 17th, 32d, 33d, 34th 36th, 43d, 49th, 50th, and 58th to the Committee on Revised Statutes; the 19th, 27th, 28th, 29th, 30th, 31st, 38th, 40th, 46th, 52d,

53d, 54th, and 56th to the Committee on the Judiciary; and the 39th to the Committee on Privileges and Elections,

Mr. Cooke presented the report of the Trustees of the American Printing House for the Blind.

[*For Report—See Legislative Document No.* 15, 1871.]

Ordered, That the usual number of copies of said report be printed for the General Assembly, and that 1,000 copies be printed for the use of the Institution.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of A. C. Thomas, late sheriff of Nelson county, and his sureties;

An act changing the time of holding the Warren court of common pleas;

An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Hustonville;'"

An act to procure the collection of the revenue and county levy of Clay county for the year 1870;

An act to incorporate and endow Graves County Female Seminary;

An act to amend an act, entitled "An act to tax incomes on United States bonds," approved March 8th, 1867;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend sections 714, 721, and 722, Civil Code of Practice;

An act to amend chapter 84, title "Roads and Passways," Revised Statutes;

An act to amend section 367 of the Civil Code of Practice;

An act in relation to official sales in Boyle and Lincoln counties;

An act defining the jurisdiction of the marshal of the town of Ceralvo, in the county of Ohio;

An act defining the boundary line between the counties of Cumberland and Adair;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

On motion, leave of indefinite absence was granted to Messrs. Gardner and Prichard.

The Senate, according to order, took up for consideration a bill, entitled

A bill repealing the 3d section of an act, entitled "An act conferring certain civil rights upon negroes and mulattoes," approved February 14, 1866.

[*For bill, see Senate Journal of February 28th*, 1871.]

With the amendment proposed by the Committee on the Judiciary as a substitute.

Said amendment reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter no person shall be held incompetent to testify in any civil action or proceeding, or in any criminal or penal prosecution in any court in this Commonwealth, on account of race or color.

§ 2. That all laws in conflict with this act be, and the same are hereby, repealed.

§ 3. This act shall be in force from its passage.

And the amendment thereto proposed by Mr. Turner as an additional section, which reads as follows, viz :

In all actions or prosecutions, where negro testimony is admitted on the trial, it shall be lawful for both plaintiffs and defendants in such actions to testify.

The question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	A. G. Talbott,
Jos. M. Alexander,	J. B. Hayden,	Oscar Turner,
A. K. Bradley,	John W. Johnson,	H. A. Tyler,
R. A. Burton,	D. Y. Lyttle,	A. C. Vallandingham
W. H. Chelf,	Lewis Perrin,	W. L. Vories,
Harrison Cockrill,	E. D. Standeford,	Emery Whitaker—19.
Joseph Gardner,		

Those who voted in the negative, were—

F. M. Allison,	J. H. Dorman,	W. H. Payne,
Robert Boyd,	W. McKee Fox,	I. A. Spalding,
John G. Carlisle,	William Johnson,	Ben. J. Webb,
Wm. L. Conklin,	A. L. McAfee,	Thos. Wrightson—12.

Mr. Spalding then moved an amendment as a substitute for the amendment proposed by the committee, as amended.

And then the Senate adjourned.

WEDNESDAY, MARCH 8, 1871.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to incorporate the town of Glasgow Junction and Mammoth Cave.

An act to create and regulate the office of county treasurer for McCracken county.

An act to incorporate the Kentucky Statesman Printing Company.

An act to amend an act, entitled "An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown."

An act to incorporate the Louisville Railway Transfer Company and conferring certain powers in relation thereto on the Louisville, Cincinnati, and Lexington, and Louisville and Nashville Railroad Companies.

With amendments to the last named bill.

Which bill and amendments were referred to the Committee on Internal Improvement.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to prohibit the carrying of concealed deadly weapons.

2. An act to amend sections 24, 29, and 827 of the Civil Code of Practice, regulating the jurisdiction and pleadings of quarterly courts and justices of the peace.

3. An act to incorporate the Kentucky River Salt Manufacturing Company, in Perry county.

4. An act to incorporate the town of Calvert City, in Marshall county.

5. An act to incorporate the town of Martinsburg, in Elliott county.

6. An act to incorporate the town of Flat Rock, in Bourbon county.

7. An act to amend an act, entitled "An act to incorporate the Eagle Petroleum and Mineral Company."

8. An act declaring Grassy creek, in Morgan county, a navigable stream.

9. An act to incorporate the Methodist Episcopal Church, South, Widows' and Orphans' Home.

10. An act to amend the charter of the Board of Education of the Louisville Annual Conference of the Methodist Episcopal Church, South, approved January 25, 1867.

11. An act to amend the charter of the Kentucky Real Estate and Building Company.

12. An act to amend an act, entitled "An act to incorporate the People's Library Company," approved June 3, 1865.

13. An act to incorporate the Constant Friends Lodge, No. 187, Independent Order of Odd Fellows.

14. An act concerning the First Presbyterian Church of Shelbyville, to legalize a division of the property of said church, and to incorporate the divided parties in said church.

15. An act to amend an act, entitled "An act to amend an act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company."

16. An act to charter a steam ferry at the mouth of the Ohio river.

17. An act to incorporate the Germania Society of Louisville.

18. An act to incorporate the Frenchburg and Jeffersonville Turnpike Road Company.

19. An act to amend an act, entitled "An act to charter the Louisville Naphthaline Steel Manufacturing Company."

20. An act to incorporate the Louisville Malleable Iron Works.

21. An act to incorporate the Louisville Elevator Company.

22. An act to incorporate the Helvetia Society of Louisville.

23. An act to incorporate the Teutonia Brother Bund Society of Louisville.

24. An act to incorporate the town of Frenchburg, in Menifee county.

25. An act to extend the corporate limits of the town of Blandville, in Ballard county.

26. An act to amend the charter of the town of Taylorsville.

27. An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company," approved March 14th, 1870.

28. An act to incorporate the Mount Eden and Camdenville Turnpike Road Company.

29. An act to incorporate the West Paris Bridge Company.

30. An act to incorporate the Glasgow Cemetery Company.

31. An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary.

32. An act to incorporate the Walnut Street Market-house Company.

33. An act to incorporate the Philips and Jordan Iron Company.

34. An act to amend the charter of the Elizabethtown and Paducah Railroad Company, approved March 5th, 1867.

35. An act for the benefit of Haly & Brawner.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 12th, 13th, 14th, 16th, 22d, 25th, 31st, and 32d to the Committee on the Judiciary; the 2d, 4th, 5th, 6th, 24th, and 26th to the Committee on Revised Statutes and Codes of Practice; the 3d, 7th, 11th, 19th, 20th, 21st, and 33d to the Committee on Agriculture and Manufactures; the 8th, 18th, 27th, 28th, and 29th to the Committee on Internal Improvement; the 9th, 17th, 23d, and 30th to the Committee on Religion and Morals; the 10th to the Committee on Education; the 15th to the Committee on Banks and Insurance: the 34th to the Committee on Railroads, and the 35th to the Committee on Claims.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Dorman, from the Committee on Courts of Justice—

1. A bill to amend the charter of the town of Irvine.

By Mr. Tyler, from same committee—

A bill to amend an act, entitled "An act to amend the charter of the town of Danville," approved February 17th, 1871.

By Mr. McAfee, from a select committee—

3. A bill to prevent illegal voting in this Commonwealth.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as the second reading of said bills being dispensed with, the 3d was ordered to be printed and placed in the orders of the day, and the 1st and 2d were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lyttle, from the Committee on Education, to whom had been referred the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to cause good school-houses to be erected in the Eighth and Ninth Congressional districts,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of Granville Evans, of Wolfe county.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act for the benefit of Barren county.

By Mr. Chelf, from the Committee on Education—

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

By same—

An act to establish a graded school at St. James, late Shelby College, in Shelbyville.

By same—

An act to establish a public school for colored children in the city of Henderson.

By same—

An act for the better organization of public schools in the city of Lexington.

By Mr. Lyttle, from same committee—

An act authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to amend an act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company."

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Eminence and Mulberry Turnpike Road Company;

An act to amend the charter of the town of Harrodsburg;

An act to amend the charter of the Oakland Plank Road Company; of Jefferson county;

An act to amend an act, entitled "An act to repeal section 3 of the charter of Catlettsburg;"

An act to amend the charter of the city of Hickman;

An act to amend the charter of the city of Augusta;

An act to amend the charter of the Louisville and Jefferson County Association;

An act to amend the charter of the town of Catlettsburg;

An act to amend the 2d and 3d sections of an act, entitled "An act to establish the Sixteenth Judicial District," approved February 18, 1868, and to regulate the time of holding the circuit courts therein;

An act to incorporate the town of Milledgeville, in Lincoln county;

An act to incorporate the Woodford Railroad Company;

An act to amend the charter of the town of Wyoming;

An act to amend the charter of the town of Bethel;

An act to amend an act, entitled "An act incorporating the town of Hustonville, and the several acts amendatory thereof;"

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 2, article 1, of chapter 48, Revised Statutes, title "Idiots and Lunatics;"

An act to amend section 21, chapter 84, entitled "Roads and Passways," Revised Statutes;

An act to amend section 6 of article 3, chapter 26, Revised Statutes, title "County Levy;"

An act in relation to the sale of spirituous liquors in Morgan county;

An act to amend title 10, chapter 4, section 467, of the Civil Code of Practice;

An act to prohibit the sale of spirituous, vinous, or malt liquors in magistrates' district No. 2, in the county of Franklin;

An act to protect owners of land in Carroll, Hardin, and Gallatin counties, from trespasses;

An act for the benefit of Clark and Montgomery counties;

An act to repeal an act, entitled "An act for the benefit of the citizens of Williamsburg, in Whitley county;"

An act for the benefit of the Slate Union or Salt Well Church, in Bath county;

An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Saloma, in Taylor county;

An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the center thereof;

An act for the benefit of the town of Hodgenville, in Larue county;

An act to change the time of holding the February term of the Marion circuit court;

An act to incorporate the town of Casey's Mines, in Union county.

An act to amend the charter of Cave City, in Barren county;

An act for the benefit of Greenville Hill Cemetery, in Woodford county;

An act to authorize the citizens of Knox county to vote a tax for the purpose of constructing public buildings;

An act for the benefit of the Presbyterian Church in the town of Winchester;

An act to amend an act incorporating the Northeastern Kentucky Agricultural Association, approved February 22d, 1860, and to legalize the election of officers heretofore, and their acts as such;

An act to prohibit the sale of intoxicating liquors in district No. 9, in Meade county;

An act to extend the time to the Hart county court in which to build fire-proof vaults;

An act changing the time of holding the Montgomery quarterly courts;

An act to incorporate the Tradewater Coal and Transportation Company;

An act for the benefit of Lincoln county;

An act to authorize the Fulton county court to levy and collect a tax to build a new jail, and to purchase grounds for the same;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Ludlow.

An act for the benefit of Emma Wade, widow of Wm. M. Wade, deceased.

An act for the benefit of John C. Gardner, late clerk of the Fulton circuit court.

An act to amend an act, entitled "An act to tax incomes on United States bonds," approved March 8th, 1867.

An act changing the time of holding the Warren court of common pleas.

An act for the benefit of A. C. Thomas, late sheriff of Nelson county, and his sureties.

An act to amend an act, entitled "An act to amend an act, entitled 'An act incorporating the town of Hustonville.'"

An act to procure the collection of the revenue and county levy of Clay county for the year 1870.

An act to incorporate and endow Graves County Female Seminary.

Mr. Talbott presented the petition of the Independent Order of Odd Fellows at Crab Orchard, asking the passage of charter of the Widows' and Orphans' Cemetery Company.

Which was received, read, and referred to the Committee on Religion and Morals.

On motion of Mr. Spalding, the vote was reconsidered by which the Committee on the Revised Statutes and Codes of Practice was discharged from the further consideration of a bill from the House of Representatives, entitled

An act to incorporate the Odd Fellows' Hall Company, in the town of Nicholasville.

The Senate took up for consideration a bill, entitled

A bill authorizing the county court judge of Madison county to grant a license to Richard H. Lamb to retail ardent spirits.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county court judge of the county of Madison be, and he is hereby, authorized to grant a license to Richard H. Lamb, to retail ardent spirits as a tavern-keeper, without being required to keep a tavern: *Provided*, That the said Lamb shall pay the tax now required by law for the privilege of retailing spirituous liquors.

§ 2. That the said Richard H. Lamb shall be subjected to all the pains and penalties now provided by law for tippling, or in anywise keeping a disorderly house.

§ 3. That this act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Lyttleton Cooke,	I. A. Spalding,
R. A. Burton,	Joseph Gardner,	E. D. Standeford,
W. H. Chelf,	J. B. Hayden,	H. A. Tyler,
J. Q. Chenoweth,	D. Y. Lyttle,	A. C. Vallandingham,
Harrison Cockrill,	A. L. McAfee,	Ben. J. Webb,
Wm. L. Conklin,	W. H. Payne,	I. C. Winfrey—19.
G. W. Connor,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	Lewis Perrin,
Jos. M. Alexander,	Wm. Johnson,	Oscar Turner—8.
J. H. Dorman,	John W. Johnson,	

Resolved, That the title of said bill be as aforesaid.

The committee appointed to withdraw from the possession of the Governor a bill which originated in the House of Representatives, entitled

An act to authorize the city of Dayton, in Campbell county, to establish common school system,

Handed in said bill at the Clerk's desk.

The announcement of the Senate's passage of said bill having been withdrawn from the House of Representatives, the votes by which the Senate passed said bill, dispensed with its third reading, and ordered it to be read a third time, were reconsidered.

Mr. Wrightson moved an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the message of the Governor, in writing, received on the 4th inst.

Said message reads as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 2, 1871.

Gentlemen of the Senate:

I herewith return a bill, which originated in your body, entitled "An act to authorize the Fayette county court to pay out of the county funds the expenses of certain officers, incurred in the United States district and circuit courts." This bill, in its provisions, undertakes to confer power upon the Fayette county court, a majority of the justices concurring, to appropriate, of the public funds belonging to said county, a sum sufficient to pay the expenses of the county officers of Fayette county, incurred by them in the actions in the United States district court for the district of Kentucky, contesting their right to said offices. In other words, the bill provides a way by which the public revenues of the county may, by the judgment of the county court, be used in payment of the expenses to which certain individuals have been subjected in their effort to make good their claim to the offices of the county; and from the language of the bill, a portion of the individuals thus to be benefited are made the judges in their own interest.

I find no authority in the Constitution of the State for such grant of power at the hands of the Legislature. It seems to me the bill is in violation of at least the spirit of the Constitution. Section 1 of article 13 declares "that no man or *set of men* are entitled to exclusive, separate public *emoluments* or privileges from the community, but in consideration of public services."

The bill certainly undertakes to secure and have paid to a set of men a species of *public emoluments*, not in consideration of public services, but, so far as is seen from anything in the bill, as a mere donation. The policy of such a precedent in Kentucky legislation is dangerous, and would result in great harm. I feel constrained, therefore, to withhold my assent to the bill.

Very respectfully,

P. H. LESLIE.

The bill referred to in said message reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county court of Fayette county, a majority of all the justices of said court concurring, shall be empowered to appropriate, out of any money not otherwise appropriated, a sum sufficient to pay the expenses of the county officers of Fayette county, incurred in the actions in the United States district court for the district of Kentucky, contesting their right to said offices.

§ 2. This act shall take effect from its passage.

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

J. H. Dorman, Lewis Perrin—2.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	A. G. Talbott,
Jos. M. Alexander,	Edwin Hawes,	Oscar Turner,
F. M. Allison,	J. B. Hayden,	H. A. Tyler,
Robert Boyd,	Wm. Johnson,	A. C. Vallandingham,
A. K. Bradley,	John W. Johnson,	W. L. Vories,
R. A. Burton,	D. Y. Lyttle,	Ben. J. Webb,
W. H. Chelf,	A. L. McAfee,	Emery Whitaker,
J. Q. Chenoweth,	W. H. Payne,	I. C. Winfrey,
Harrison Cockrill,	I. A. Spalding,	Thos. Wrightson—29.
Wm. L. Conklin,	E. D. Standeford,	

So said bill was rejected.

On motion of Mr. McAfee,

Ordered, That a committee be appointed, to act in conjunction with a similar committee to be appointed on the part of the House of Representatives, to wait upon the Governor, and ask the withdrawal of a bill, originating in the Senate, which has passed the two Houses, entitled

An act to incorporate the Woodford Railroad Company.

Whereupon, Messrs. McAfee and Wm. Johnson were appointed said committee.

A message was received from the House of Representatives, requesting that a committee be appointed, to act in conjunction with a similar committee on their part, to wait upon the Governor and ask the withdrawal of a bill, originating in the Senate, which has passed the two Houses, entitled

An act to amend the charter of the town of Midway, in Woodford county.

Whereupon, Messrs. McAfee and Wm. Johnson were appointed said committee.

The Senate resumed the consideration of a bill, entitled

A bill repealing the 3d section of an act, entitled "An act conferring certain civil rights upon negroes and mulattoes," approved February 14, 1866,

With the pending amendments.

Mr. Spalding moved that the further consideration of said bill and amendments be postponed until Friday, March 10th.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooke and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. H. Dorman,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	Oscar Turner,
R. A. Burton,	John W. Johnson,	H. A. Tyler,
J. Q. Chenoweth,	D. Y. Lyttle,	A. C. Vallandingham
Harrison Cockrill,	A. L. McAfee,	W. L. Vories,
Wm. L. Conklin,	Lewis Perrin,	Ben. J. Webb,
G. W. Connor,	I. A. Spalding,	Emery Whitaker—21.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	W. H. Payne,
F. M. Allison,	Edwin Hawes,	I. C. Winfrey,
Robert Boyd,	J. B. Hayden,	Thos. Wrightson—11.
W. H. Chelf,	William Johnson,	

Mr. Talbott, from the Committee on Charitable Institutions, in obedience to a resolution directing them to visit the Lunatic Asylums, &c., presented the following report, viz:

The Joint Committee on Charitable Institutions, in obedience to a joint resolution instructing them to visit the Eastern and Western Lunatic Asylums, and inquire into their condition and management, having performed that duty, beg leave to submit the following report:

The committee first visited the Eastern Asylum, and having personally inspected all the buildings and grounds, inquired into the condition and general treatment of the patients as regards health and comfort, are prepared to say, that we found the improvements and premises free from anything which could injure the health of the inmates; the condition of the buildings showed, in every part, the most scrupulous regard to neatness; the appearance of the patients, and everything that passed under our notice, evinced the existence of a thorough system of management in the Institution.

The patients are warmly and neatly clad; the bedding, and sleeping rooms are clean; and the purity of the air which pervades all parts of the buildings showed the absence of any hidden cause for disease.

The condition of this Institution reflects great credit upon the Superintendent and his subordinates; and the opinions contained in his last report we recommend to the respectful consideration of the General Assembly.

The committee deem it unnecessary, in view of the satisfactory report of the Superintendent and Board of Managers, to say more than—all the facts which came under our observation sustain that report; they will, therefore, only refer to such facts as they think

should form the basis of legislative action. Before doing so, however, it is proper to state the result of their observations and inquiries as regards the Western Asylum.

These were of the most satisfactory kind. To particularize would be but to repeat the statements made in relation to the Eastern Asylum. All that has been said in commendation of that Institution and its officers, and of the recommendations of its able Superintendent, applies with equal force and justice to this Asylum.

The main fact to which we would call attention, is the inadequacy of the existing provisions for the care and treatment of the insane and feeble-minded of our State.

The reports of the Superintendents of the two Asylums show that there are now 535 patients confined in the Eastern, and 328 in the Western Asylum, both being full. A large number of patients have been refused admittance therein during the past year. It is estimated that there are from 60 to 70 of this unfortunate class now confined in the jails of this Commonwealth, or at the homes of their friends. If suffered to remain in this condition, no hope of their recovery can be reasonably sustained.

It requires no argument from this committee to show that it is the duty of the Legislature to make adequate provision for the care and maintenance of these persons. This duty is recognized by the establishment of our present institutions; erected and maintained at great expense by the cheerful tax contributions of the people of our State. The duty of caring for a part of this class being recognized, the Legislature cannot stop short of a full provision for every one of them, without, in the opinion of this committee, failing in one of the most sacred trusts confided to them by the people of this State. Neither the policy or the duty of the Legislature, in this regard, being an open question, it only remains to consider how this trust can be executed with the greatest economy to the State, and the most benefit to these unfortunates.

It is proper to state, that the plan hereinafter recommended was suggested by the respective Superintendents of the Lunatic Asylums and the Feeble-minded Institute, after consultation with each other.

It appears there are 50 epileptics or idiots in the Eastern, and 51 of the same class in the Western Asylum. It is proposed to transfer these patients—101 in all—to the Feeble-minded Institute, and thus make room for the same number of lunatics at the two asylums.

Dr. Black, Superintendent of the Feeble-minded Institute, estimates that an expenditure of thirty thousand dollars ($30,000) will provide for that additional number of patients at the Institution under his charge.

Dr. Whitney, of the Eastern Asylum, says that ten thousand dollars ($10,000) will provide accommodations for 50 additional female lunatics at his Institution; thus, by the expenditure of forty thousand dollars ($40,000) provision can be made for all the lunatics in the State, including the feeble-minded and epileptics or idiots; while separating these two classes, an arrangement in itself very important, as it is thought their association—now compulsory—is detrimental to the welfare of the insane, the only class that is considered curable.

If an argument, drawn from considerations of economy, were needed to add force to those based on the higher duties we owe to humanity, it might be found in the fact, that a large portion of the insane and idiotic persons who are now excluded from the asylums for want of room, are maintained by the State in jails, or in the care of persons hired for that purpose, without hope of benefit, and at greater cost than would be required to keep them in more comfort in the asylums where they might receive a course of treatment which experience proves would aid materially in their restoration to mental and physical health.

We will only add, that we have before us tabular statements showing the cost of maintaining this class of persons in each of our sister States, by which it appears that the cost per patient is less in our Institutions than in any other, while the proportion of cures shows a more satisfactory result. Our people, therefore, have a right to be proud of the results of their past efforts in this field of Christian and philanthropic duty; and, in the opinion of your committee, this Legislature would fail in reflecting the feelings and wishes of the people of this State, if any considerations of false economy should influence them to refuse the appropriations deemed necessary for the proper care of the helpless class whose welfare has been confided to its keeping.

The committee are of the opinion that the highest evidences any people can give of their advancement in Christian civilization and refinement are those indications shown in their public charities; and satisfied, as we are, that our constituents are not only willing but anxious to see all the destitute unfortunates in the State, of which the Institutions visited are the proper custodians, amply provided for, we hereby earnestly but respectfully urge the Legislature to make all necessary appropriations for that purpose.

While it is not a subject embraced in the resolution under which this committee was raised, yet we cannot close this report without calling the attention of the Legislature to certain facts connected with the Western Asylum.

In order to protect the interests of the State, the Board of Managers of the Western Asylum found it necessary to buy a small tract of land (27½ acres) adjoining the Asylum grounds, at a cost of about one thousand dollars ($1,000). Your committee would earnestly recommend an appropriation to meet this purchase, from the fact that the land was for sale, and might have been bought and occupied by persons obnoxious to the interests of the Institution.

We also found the road leading from Hopkinsville to the Asylum in very bad condition, and would recommend an appropriation of two thousand dollars ($2,000), which, when added to a similar amount which the citizens propose to raise, will be sufficient to make a good turnpike.

We would also recommend an appropriation of forty-five hundred dollars ($4,500) to enable the Board of Managers of that Institution to furnish their new kitchen with a suitable cooking range, and replace old and worn-out furniture in the various wards of this Asylum;

and suitable seats and furniture in the chapel lately erected under an appropriation of the General Assembly.

A. G. TALBOTT,
Chairman Senate Committee.
D. L. PRICE,
Chairman House Committee.

Ordered, That one hundred copies of said report be printed for the Senate.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky.

[*For bill, see Session Acts*, 1871.]

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Holt),	J. H. Dorman,	E. D. Standeford,
Jos. M. Alexander,	W. McKee Fox,	A. G. Talbott,
F. M. Allison,	Joseph Gardner,	Oscar Turner,
A. K. Bradley,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
J. Q. Chenoweth,	W. H. Payne,	Ben. J. Webb,
Harrison Cockrill,	Lewis Perrin,	Emery Whitaker,
Wm. L. Conklin,	I A. Spalding,	Thos. Wrightson—25.
G. W. Connor,		

Those who voted in the negative, were—

Robert Boyd,	Edwin Hawes,	H. A. Tyler,
R. A. Burton,	William Johnson,	I. C. Winfrey—8.
Lyttleton Cooke,	A. L. McAfee,	

Resolved, That the title of said bill be as aforesaid.

Mr. Alexander moved that the vote by which said bill was passed be reconsidered.

Mr. Bradley moved that said motion be laid upon the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	I. A. Spalding,
Jos. M. Alexander,	W. McKee Fox,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	A. G. Talbott,
W. H. Chelf,	John W. Johnson,	W. L. Vories,
J. Q. Chenoweth,	D. Y. Lyttle,	Ben. J. Webb,
Harrison Cockrill,	W. H. Payne,	Emery Whitaker,
Wm. L. Conklin,	Lewis Perrin,	Thos. Wrightson—22.
Lyttleton Cooke,		

Those who voted in the negative, were—

F. M. Allison,	William Johnson,	H. A. Tyler,
Robert Boyd,	A. L. McAfee,	A. C. Vallandingham,
R. A. Burton,	Oscar Turner,	I. C. Winfrey—10.
Edwin Hawes,		

Mr. Spalding, from the Committee on Finance, reported, without amendment, a resolution from the House of Representatives, entitled

Resolution to purchase Cain's portrait of Chief Justice Robertson.

Which was read as follows, viz:

WHEREAS, Master Nevil Cain, a young artist of great promise, a native of Kentucky, has, at the suggestion of the friends and admirers of Chief Justice Robertson, produced a fine portrait of that distinguished jurist; and whereas, it is desirable that the State of Kentucky should procure the same, in order that it may be preserved in memory of that illustrious man; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the said portrait be purchased by the Governor for the State, at the price of five hundred dollars; and the Auditor of Public Accounts shall draw his warrant on the Treasurer in favor of the said Nevil Cain for said sum, to be paid out of any money in the Treasury not otherwise appropriated; and that said portrait be carefully preserved in the court-room in the Capitol.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	E. D. Standeford,
Jos. M. Alexander,	W. McKee Fox,	A. G. Talbott,
F. M. Allison,	Joseph Gardner,	Oscar Turner,
A. K. Bradley,	Wm. Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	D. Y. Lyttle,	W. L. Vories,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
Harrison Cockrill,	W. H. Payne,	Emery Whitaker,
Wm. L. Conklin,	I. A. Spalding,	I. C. Winfrey,
G. W. Connor,	Lewis Perrin,	Thos. Wrightson—31.
Lyttleton Cooke,		

Those who voted in the negative, were—

Robert Boyd, Edwin Hawes—2.

Mr. Spalding, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act providing for the completion of the fire-proof offices in the city of Frankfort,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of fifty-five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid in current funds, as hereinafter provided, for the purpose of furnishing the apartments and fire-proof rooms for the offices of the State, required by law to be kept at the Seat of Government, now in course of construction in the city of Frankfort.

§ 2. The commissioners, under whose supervision the work shall be done, shall consist of the Governor of the State, and two other members to be appointed by the Governor, and confirmed by the Senate, who shall have power to employ an architect or superintendent, and to make contracts for the completion of the apartments and fire-proof offices: *Provided*, That no contractor heretofore employed on the building shall be permitted to continue his work under any existing contract, or shall be employed in any contract hereafter to be made.

§ 3. The commissioners appointed by act, approved February ——, 1869, to contract for and superintend the erection of the fire-proof offices, shall have power to close the contracts made by them for any work on said building as they think just and proper, and shall present a complete list of outstanding debts contracted by them in the erection of the building, including the $10,000 borrowed by them from the banks, or so much thereof as has been expended in said building, for the payment of which debts the commissioners appointed by this act shall draw their warrant on the Auditor, in favor of the former commissioners; but nothing in this act shall be construed to interfere with the legality of any existing contract, or the right of the first commissioners to reclamation for indifferent work, or violation of any contract by them made.

§ 4. If a list of all outstanding debts is not and cannot, in consequence of any litigation, or other cause, be presented in thirty days after the approval of this act, the former commissioners shall present a list of such debts as far as they can; which debts shall be paid as provided in the preceding section, and the commissioners appointed by this act shall expend the balance of this appropriation in completing the apartments and fire-proof offices.

§ 5. The commissioners shall pay to John Andrewartha, of Louisville, and D. J. Thomas, of Covington, $100 each, for services rendered

under direction of the special committee of the House of Representatives, and to Clinton Griffith, the chairman, $2 for telegraphic dispatches.

§ 6. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	Lewis Perrin,
Jos. M. Alexander,	W. McKee Fox,	I. A. Spalding,
R. A. Burton,	Joseph Gardner,	E. D. Standeford,
W. H. Chelf,	Edwin Hawes,	A. G. Talbott,
J. Q. Chenoweth,	Wm. Johnson,	H. A. Tyler,
Harrison Cockrill,	John W. Johnson,	A. C. Vallandingham,
Wm. L. Conklin,	D. Y. Lyttle,	W. L. Vories,
G. W. Connor,	A. L. McAfee,	Ben. J. Webb,
Lyttleton Cooke,	W. H. Payne,	Emery Whitaker—27.

Those who voted in the negative, were—

F. M. Allison,	J. B. Hayden,	I. C. Winfrey,
Robert Boyd,	Oscar Turner,	Thos. Wrightson—7.
A. K. Bradley,		

Resolved, That the title of said bill be as aforesaid.

Mr. Whitaker, from the Committee on Courts of Justice, reported a bill, entitled

A bill to increase the jurisdiction of the police judge of Louisa, in Lawrence county, and to regulate the terms of his court.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Mr. Chelf, from the Committee on Education, reported a bill, entitled

A bill for the benefit of Murray common school district, in Calloway county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Superintendent of Public Instruction is hereby directed to draw his warrant on the Treasurer in favor of the common school commissioner of Calloway county, for the sum of six hundred and twenty-two dollars for the Murray district No. —, in said county, being the aggregate amount of school fund due said district for the years 1862, '63, '64, '65, '66, and 1867 : *Provided*, That said amount shall be deducted from the surplus bonded fund set apart to the credit of said county.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	I. A. Spalding,
Jos. M. Alexander,	W. McKee Fox,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	A. G. Talbott,
A. K. Bradley,	Edwin Hawes,	H. A. Tyler,
R. A. Burton,	J. B. Hayden,	A. C. Vallandingham,
W. H. Chelf,	William Johnson,	W. L. Vories,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
Harrison Cockrill,	D. Y. Lyttle,	Emery Whitaker,
Wm L. Conklin,	A. L. McAfee,	I. C. Winfrey,
G. W. Connor,	W. H. Payne,	Thos. Wrightson—31.
Lyttleton Cooke,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Lyttle, from the Committee on Education, to whom was referred a bill, which originated in the House of Representatives, entitled

An act directing the purchase of Collins' Historical Sketches of Kentucky,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Superintendent of Public Instruction be, and he is hereby, directed to purchase of Richard H. Collins, for the use of this Commonwealth, such number of copies, at the price of four dollars each, of his new and enlarged edition of Judge Collins' Historical Sketches of Kentucky, as shall be sufficient to supply one copy thereof to each common school district in the State, for the use of the children of said district, and as a foundation for the District Library contemplated by article 9, of "An act to revise, amend, and reduce

into one the laws relating to the common schools of Kentucky," approved March 21, 1870, portions of which history may be read to them every day by their teacher, or as a reading lesson by the older scholars and best readers: *Provided*, That, where cities and towns for convenience are reported and treated as one district, said district shall be supplied with as many copies of said book as shall equal one for each separate school-room of children over ten years of age having a separate teacher, in said district.

§ 2. That as said books are delivered to said Superintendent at his office in Frankfort, he shall examine them; or he may elect to examine and receive them at the publisher's office or bindery; and if they are well bound in law binding, in the style of the Kentucky Reports (except that the leather may be colored or sprinkled as such books are usually done), and in good order, with the words "*Common School Library*" stamped in gilt letters upon the back, and with a printed label upon the inside of each cover or lid, showing the number and county of each district respectively; and if the same contain not less than seven hundred and twenty pages, with a map of the State, embracing all the counties, and with sixty or more engravings, then he shall certify to the Auditor of Public Accounts the number delivered at each delivery, and the said Auditor is hereby required to issue his warrant upon the Treasurer for the price of the same, payable out of the fifteen-cent tax for school purposes levied and collected in 1871, until one half of the whole number is thus paid for, and for the remaining one half payable out of said revenue collected in 1872: *Provided*, That if, at the annual election for school trustees, on the first Saturday in April, 1871, any school district should by vote decide not to purchase said book, and should certify said vote officially through the county commissioner to the Superintendent of Public Instruction, then said Superintendent shall not purchase a copy of said book for said district, nor use any portion of their *pro rata* in payment of same: *Provided further*, It shall be the duty of the Superintendent of Public Instruction to notify the commissioners of common schools of the various counties of the passage of this act, and they shall notify the trustees of the school districts of their county of the same, previous to the first Saturday in April, 1871.

§ 3. That to aid him in the completion of the said work, the rights and privileges of the State Library be extended to said Collins; and he be authorized to withdraw therefrom one copy of each document printed for the State since the year 1830, provided he give bond for the safe return within two years (fire and unavoidable accidents excepted), said bond payable to the Secretary of State for the use of the Commonwealth, in such penalty as he may affix, and which may be enforced by suit in the Franklin circuit court.

§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Joseph Gardner,	I. A. Spalding,
Jos. M. Alexander,	J. B. Hayden,	E. D. Standeford,
R. A. Burton,	William Johnson,	A. G. Talbott,
J. Q. Chenoweth,	John W. Johnson,	A. C. Vallandingham,
Harrison Cockrill,	D. Y. Lyttle,	W. L. Vories,
Wm. L. Conklin	A. L. McAfee,	Ben. J. Webb,
G. W. Connor,	W. H. Payne,	Emery Whitaker,
Lyttleton Cooke,	Lewis Perrin,	Thos. Wrightson—25
W. McKee Fox,		

Those who voted in the negative, were—

Robert Boyd,	J. H. Dorman,	H. A. Tyler,
W. H. Chelf,	Edwin Hawes,	I. C. Winfrey—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Chenoweth moved that the vote by which said bill was passed be reconsidered.

Mr. Alexander moved that said motion be laid upon the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	Lewis Perrin,
Jos. M. Alexander,	W. McKee Fox,	I. A. Spalding,
W. H. Chelf,	Joseph Gardner,	A. G. Talbott,
J. Q. Chenoweth,	William Johnson,	A. C. Vallandingham,
Harrison Cockrill,	John W. Johnson,	Ben. J. Webb,
Wm. L. Conklin,	D. Y. Lyttle,	Emery Whitaker,
G. W. Connor,	A. L. McAfee,	Thos. Wrightson—23.
Lyttleton Cooke,	W. H. Payne,	

Those who voted in the negative, were—

Robert Boyd,	H. A. Tyler,	I. C. Winfrey—4.
Edwin Hawes,		

On motion of Mr. Vallandingham, leave of indefinite absence was granted to Mr. Cockrill.

And then the Senate adjourned.

THURSDAY, MARCH 9, 1871.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to attach the counties of Elliott and Lee to the Thirty-fourth Senatorial District.

An act to amend an act, entitled "An act to incorporate the Harrodsburg, Duncansville, and Chaplaintown Turnpike Road Company."

An act for the benefit of Thomas Cook, James Root, John E. White, and Howell Brewer.

An act to amend an act, approved March 15th, 1867, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river."

An act to amend the charter of the Liberty and Middleburg Turnpike Road Company, approved March 21, 1870.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Morganfield."

An act to amend the charter of the Masonic Temple Company of Louisville.

An act to amend the charter of the town of Mayfield.

An act to amend an act, entitled "An act to provide for the incorporation and regulation of fire, marine, health, accident, live stock, and all others, except life insurance companies," approved March 12th, 1870.

An act to amend the charter of the Paducah and Gulf Railroad Company.

With amendments to the last three named bills.

The amendments to the last two named were taken up, twice read, and concurred in.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to amend the charter of the Deposit Bank of Frankfort.

2. An act to amend an act, entitled "An act to prohibit the destruction of fish in Cumberland river, above the falls."

3. An act to amend an act approved March 15th, 1869, abolishing the Board of Internal Improvement.

4. An act to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company.

5. An act to incorporate the New Haven and Howard's Mill Turnpike Road Company.

6. An act to incorporate the Athens and Walnut Hill Turnpike Company.

7. An act to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved March 3d, 1851.

8. An act to incorporate the Greenup and Boyd County Turnpike Road Company.

9. An act to amend an act, entitled "An act to incorporate the Spring Station Turnpike Road Company."

10. An act to incorporate the Sligo and Pendleton Station Turnpike Company.

11. An act to incorporate the New Castle and Sulphur Turnpike Road Company.

12. An act for the benefit of the Paris and Winchester Turnpike Road Company.

13. An act for the benefit of toll-gate keeper in Josh Bell county.

14. An act for the benefit of the Kentucky River Turnpike Road Company.

15. An act to appropriate certain moneys due by the county of Wayne to the Public Treasury in aid of the construction of a certain turnpike road.

16. An act for the benefit of General E. Kirby Smith.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Banks and Insurance; the 2d to the Committee on Propositions and Grievances; the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, and 14th to the Committee on Internal Improvement; the 15th to the Committee on Finance; and the 16th to the Committee on Claims.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act authorizing and empowering county courts to purchase from Commissioners of the Sinking Fund stock in turnpike roads belonging to the State of Kentucky.

An act to fix the time of holding the court of common pleas in Ballard and McCracken counties, and regulating its jurisdiction in certain cases.

An act authorizing and directing the sale of the interest and stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

An act defining the jurisdiction of the marshal of the town of Ceralvo, in the county of Ohio.

An act to amend section 367 of the Civil Code of Practice.

An act in relation to official sales in Boyle and Lincoln counties.

An act defining the boundary line between the counties of Cumberland and Adair.

An act to amend sections 714, 721, and 722, Civil Code of Practice.

An act to amend the charter of the Old State Road and Ripple Creek Turnpike Company.

An act to authorize the city of Newport, in Campbell county, to purchase certain real estate.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Lyttle, from the Committee on Education—

An act to organize and establish a system of public schools in the city of Owensboro for white children in said city.

By same—

An act authorizing the trustees of the Silver Creek Academy to sell and convey the academy property, with power to reinvest the proceeds of the sale.

By same—

An act for the benfit of school district No. 22, in Madison county.

By same—

An act for the benefit of public schools and academies of Newport.

By same—

An act to amend the charter of the Board of Education of the Louisville Annual Conference of the Methodist Episcopal Church, South, approved January 25, 1867.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of R. W. Stringer, of Livingston county.

By same—

An act for the benefit of George Roberson, of Casey county.

By same—

An act to allow the county court of Marshall county to purchase Stanton's Treatise.

By same—

An act to provide compensation to the clerk of the Campbell circuit court for making cross-index to the suits and records thereof.

By same—

An act for the benefit of John A. Wilson, clerk of the Fulton county court.

By Mr. Cockrill, from same committee—

An act for the benefit of J. S. Randall, of Whitley county.

By Mr. Spalding, from same committee—

An act for the benefit of James F. Carson, of Rockcastle county.

By Mr. Burton, from same committee—

An act concerning the collection of claims of the State of Kentucky against the Federal Government.

By same—

An act for the benefit of the sureties of Young E. Hurt, late sheriff of Adair county.

By same—

An act for the benefit of M. H. Johns, of Lawrence county.

By Mr. Chelf, from the Committee on Education—

An act for the benefit of common school districts in Clinton county.

By same—

An act for the benefit of school district No. 3, in Simpson county.

By same—

An act for the benefit of common school district No. 19, in Montgomery county.

By same—

An act for the benefit of common school district No. 31, in Bullitt county.

By same—

An act for the benefit of school district No. 6, in Robertson county.

By same—

An act for the benefit of common school district No. 26 (Carlisle district), in Nicholas county.

By same—

An act to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes," approved March 11th, 1867, approved 3d February, 1870.

By Mr. McAfee, from the Committee on Internal Improvement—

An act to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centerville and Jacksonville Turnpike Road as are now without gates.

By same—

An act to incorporate the Maux Branch Turnpike Road Company.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23d, 1861.

By same—

An act to amend an act, entitled "An act to incorporate the Simpsonville and Antioch Turnpike Road Company."

By same—

An act to incorporate the Louisville Stock-yard Company.

By Mr. Cooke, from the Committee on Railroads—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same.'"

By Mr. Standeford, from the Committee on Internal Improvement—

An act to protect bridges over Licking river, in Pendleton county.

By same—

An act to incorporate the Mill Grove and Paint Lick Creek Turnpike Road Company, in Madison county.

By same—

An act to incorporate Dreaming Creek Turnpike Road Company, in Madison county.

By same—

An act to incorporate the Glasgow, Edmonton, and Burksville Turnpike Road Company.

By same—

An act to incorporate the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company.

By same—

An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company.

By same—

An act to amend the charter of the Bethel and Owingsville Turnpike Road Company.

By same—

An act to amend the charter of the Owingsville and Sherburn Turnpike Road Company.

By same—

An act to amend the charter of the Owingsville, Sharpsburg, and Bald Eagle Turnpike Road Company.

By same—

An act to incorporate the Caverna and Burksville Turnpike Road Company.

By same—

An act declaring Grassy creek, in Morgan county, a navigable stream.

By same—

An act to incorporate the Frenchburg and Jeffersonville Turnpike Road Company.

By same—

An act to incorporate the DeMossville and Gordonsville Turnpike Road Company, in Pendleton county.

By same—

An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company," approved March 14th, 1870.

By same—

An act to incorporate the Mount Eden and Camdenville Turnpike Road Company.

By same—

An act to incorporate the West Paris Bridge Company.

By same—

An act to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16th, 1870.

By same—

An act authorizing the county judge of Logan county to appropriate money to keep in repair the turnpike roads in Russellville district, in said county.

By same—

An act to authorize John B. Goff to erect a boom across Big creek, in Martin county.

By same—

An act to amend an act, entitled "An act to amend the Concord and Tollsboro Turnpike Road Company."

By same—

An act to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Company.

By same—

An act to incorporate the Big Eagle and Connersville Turnpike Company.

By same—

An act to incorporate the Iron Works Turnpike Road Company.

By same—

An act to incorporate the Gano Hill Turnpike Company.

By same—

An act to incorporate the Quick's Run and Stout's Landing Turnpike Company.

By same—

An act to require turnpike road companies in Lewis county to make annual settlements with the county judge.

By same—

An act to amend an act, entitled "An act incorporating Sherburn Bridge Company," approved March 9, 1854.

By same—

An act to authorize Garred Ratliff to erect a boom across Rockcastle creek, in Lawrence county.

By same—

An act to amend an act, entitled "An act for the improvement of the Big Sandy river," approved February 10, 1870.

By Mr. Spalding, from the Committee on Finance—

An act for the benefit of E. B. Treadway, former sheriff of Owsley county.

By same—

An act for the benefit of Thomas Monarch, late tax collector of Daviess county.

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

An act to incorporate the Odd Fellows' Hall Company in the town of Nicholasville.

By Mr. Chelf, from the Committee on Education—

An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

With amendments to the last four named bills, which were concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Spalding, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of E. M. Flack, sheriff of Todd county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Lyttle, from the Committee on Education—

A bill for the benefit of school district No. 9, in the county of Hancock.

By Mr. Cockrill, from the Committee on Finance—

A bill for the benefit of Henry B. Wiseman, sheriff of Estill county.

By Mr. Spalding, from same committee—

A bill to authorize the Union county court to appoint a sheriff for said county.

By same—

A bill for the benefit of the late sheriff of Union county.

By same—

A bill to amend the charter of Uniontown.

By Mr. Chelf, from the Committee on Education—

A bill to amend the common school law for the county of Jefferson.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill amending an act, entitled "An act to amend an act incorporating the Bardstown and Bloomfield Turnpike Road Company."

By same—

A bill incorporating the Bloomfield and Bardstown Turnpike Road Company.

By same—

A bill incorporating the Bardstown and Shepherdsville Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company."

By same—

A bill to incorporate the Eminence and Smithfield Turnpike Road Company.

By same—

A bill to incorporate the Peed and Johnson Turnpike Road Company.

By same—

A bill for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county.

By same—

A bill to amend an act, entitled "An act to authorize the Louisville chancery court, the Jefferson circuit and county courts, to increase the compensation of the surveyor of Jefferson county in certain cases."

By same—

A bill for the benefit of turnpike roads in Bath county.

By same—

A bill to amend the charter of the Newcastle and Carrollton Turnpike Road, approved 4th February, 1858.

By same—

A bill to incorporate the Harlan County Railroad, Mining, and Co-operative Company.

By same—

A bill for the benefit of Wm. E. Clelland, sheriff of Mercer county.

By Mr. Cooke, from the Committee on Railroads—

A bill to authorize the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a branch of

the Louisville and Nashville Railroad from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Paducah and Gulf Railroad Company;

An act to incorporate the town of Glasgow Junction and Mammoth Cave;

An act to create and regulate the office of county treasurer for McCracken county;

An act to incorporate the town of Sanders, in Gallatin county;

An act to incorporate the South Kentucky Railroad Company;

An act to incorporate the Kentucky Statesman Printing Company;

An act to amend an act, entitled "An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown;"

Resolution in relation to claims against the United States Government for tolls on Green and Barren rivers;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act providing for the completion of the fire-proof offices in the city of Frankfort;

An act to amend the charter of the city of Dayton, in Campbell county;

An act to amend the charter of the city of Henderson;

An act directing the purchase of Collins' Historical Sketches of Kentucky;

Resolution to purchase Cain's portrait of Chief Justice Robertson;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wm. Johnson—

1. A bill to allow justices' districts in Henry county to subscribe to the capital stock of the Cumberland and Ohio Railroad Company.

On motion of Mr. Connor—

2. A bill to authorize the county of Clark to build a turnpike road from Winchester to Red river.

On motion of Mr. Wrightson—

3. A bill to abolish stripes as a punishment for crime.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on Internal Improvement the 2d; and the Committee on the Judiciary the 3d.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

An act to repeal certain acts relative to the Louisville and Taylorsville Turnpike Road Company, and to amend the charter of the same.

By Mr. Conklin, from the Committee on Finance—

An act for the benefit of William W. Dowden, late sheriff of Fayette county.

By same—

An act for the benefit of Thomas E. Jones, of Marshall county.

By same—

An act for the benefit of Asa Gilbert, former sheriff of Clay county, and to allow him to appoint a deputy for certain purposes.

By same—

An act for the benefit of Nicholas Moore, of Lewis county.

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Wm. Johnson presented the petition of nine persons of Nelson county, praying a change in the spring term of the Nelson circuit court.

Which was received, the reading dispensed with, and referred to the Committee on Courts of Justice.

Mr. Conklin, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of M. C. Hughes, late sheriff of Gallatin county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	G. W. Connor,	I. A. Spalding,
Jos. M. Alexander,	J. H. Dorman,	E. D. Standeford,
Robert Boyd,	Edwin Hawes,	A. G. Talbott,
R. A. Burton,	William Johnson,	H. A. Tyler,
Jno. G. Carlisle,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	D. Y. Lyttle,	Ben. J. Webb,
J. Q. Chenoweth,	W. H. Payne,	Emery Whitaker,
Harrison Cockrill,	Lewis Perrin,	Thos. Wrightson—25.
Wm L. Conklin,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Vallandingham, from the Committee on Claims, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Haly & Brawner,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	E. D. Standeford,
Jos. M. Alexander,	Edwin Hawes,	A. G. Talbott,
Robert Boyd,	Wm. Johnson,	Oscar Turner,
R. A. Burton,	John W. Johnson,	H. A. Tyler,
John G. Carlisle,	D. Y. Lyttle,	A. C. Vallandingham,
W. H. Chelf,	A. L. McAfee,	W. L. Vories,
J. Q. Chenoweth,	W. H. Payne,	Ben. J. Webb,
Harrison Cockrill,	Lewis Perrin,	Emery Whitaker,
Wm. L. Conklin,	I. A. Spalding,	Thos. Wrightson—28.
G. W. Connor,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act exempting salt wagons from payment of toll on the Wilderness Turnpike Road in the counties of Knox and Josh Bell,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	E. D. Standeford,
Jos. M. Alexander,	William Johnson,	A. G. Talbott,
R. A. Burton,	John W. Johnson,	Oscar Turner,
John G. Carlisle,	D. Y. Lyttle,	H. A. Tyler,
W. H. Chelf,	A. L. McAfee,	W. L. Vories,
J. Q. Chenoweth,	W. H. Payne,	Ben. J. Webb,
Wm. L. Conklin,	Lewis Perrin,	Emery Whitaker—23.
Lyttleton Cooke,	I. A. Spalding,	

Those who voted in the negative, were—

Robert Boyd,	Edwin Hawes,	Thos. Wrightson—5.
W. McKee Fox,	A. C. Vallandingham	

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act to amend an act repealing in part the act declaring the Rolling Fork of Salt river a navigable stream,

Reported the same, with the expression of opinion that it ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act to repeal in part the act declaring the Rolling Fork of Salt river a navigable stream," approved March 17, 1870, be amended by striking out the words "above the point at which the Bardstown and Green River Turnpike Road crosses the same," and inserting the words "above the mouth of the Beech Fork;" which act, as amended, will read as follows, viz: That all acts and parts of acts declaring the Rolling Fork of Salt river a navigable stream, above the mouth of the Beech Fork, be, and the same are hereby, repealed.

§ 2. This act shall take effect from and after its passage.

Mr. Chenoweth moved to amend said bill by substituting in lieu of the 2d section the following, viz:

This act shall not be binding on the citizens of New Haven until the following question is submitted to the qualified voters of said town, in an election to be ordered by the trustees of said town, to-wit: Are you in favor of repealing the law declaring the Rolling Fork a navigable stream, with the view of erecting a mill at the town of New Haven? If a majority of those voting shall vote in the affirmative, then this act shall become a law, and be in force from and after such election. Which election shall be held and reported as other elections authorized by law in said town.

Mr. Wm. Johnson moved to amend said amendment by substituting in lieu thereof the following as a proviso to the 1st section, viz:

Provided, however, It shall be unlawful for any person to construct a dam across said river, within half a mile of the town of New Haven, in Nelson county.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Carlisle, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	William Johnson,	W. L. Vories,
John G. Carlisle,	A. L. McAfee,	Thos. Wrightson—8.
G. W. Connor,	E. D. Standeford,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	I. A. Spalding,
W. H. Chelf,	Edwin Hawes,	A. G. Talbott,
J. Q. Chenoweth,	John W. Johnson,	H. A. Tyler,
Harrison Cockrill,	W. H. Payne,	Ben. J. Webb,
Lyttleton Cooke,	Lewis Perrin,	Emery Whitaker—15.

Mr. Wm. Johnson then moved that the amendment proposed by Mr. Chenoweth be so amended that it shall apply to the "voting precinct of New Haven," instead of the "town of New Haven."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Standeford and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Jno. G. Carlisle,	William Johnson,	E. D. Standeford,
Wm. L. Conklin,	A. L. McAfee,	Ben. J. Webb,
G. W. Connor,	I. A. Spalding,	Thos. Wrightson—9.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	Lewis Perrin,
W. H. Chelf,	Edwin Hawes,	A. G. Talbott,
J. Q. Chenoweth,	John W. Johnson,	H. A. Tyler,
Harrison Cockrill,	W. H. Payne,	W. L. Vories—13.
Lyttleton Cooke,		

The question was then taken on the adoption of the amendment proposed by Mr. Chenoweth, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

It was then moved to dispense with the third reading of said bill.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Standeford, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Holt),	Edwin Hawes,	E. D. Standeford,
W. H. Chelf,	John W. Johnson,	A. G. Talbott,
J. Q Chenoweth,	A. L. McAfee,	H. A. Tyler,
Harrison Cockrill,	W. H. Payne,	W. L. Vories,
Wm. L. Conklin,	Lewis Perrin,	Ben. J. Webb,
Lyttleton Cooke,	I A. Spalding,	Thos. Wrightson—19.
J. H. Dorman,		

Those who voted in the negative, were—

Jno. G. Carlisle, William Johnson—2.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wm. Johnson and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	A. G. Talbott,
W. H. Chelf,	Edwin Hawes,	H. A. Tyler,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
Harrison Cockrill,	W. H. Payne,	Emery Whitaker—14.
Lyttleton Cooke,	Lewis Perrin,	

Those who voted in the negative, were—

John G. Carlisle,	I. A. Spalding,	W. L. Vories,
William Johnson,	E. D. Standeford,	Thos. Wrightson—7
A. L. McAfee,		

Resolved, That the title of said bill be as aforesaid.

Mr. Spalding, from the Committee on the Revised Statutes and Codes of Practice, asked that said committee be discharged from the further consideration of a bill from the House of Representatives, entitled

An act to incorporate the Widows' and Orphans' Cemetery Company of Crab Orchard Lodge, No. 108, I. O. O. F.

Which was granted.

On motion of Mr. Talbott, said bill was referred to the Committee on Religion and Morals.

Mr. Cockrill, from the Committee on Finance, to whom was referred the amendment, proposed by the House of Representatives, to a bill from the Senate, entitled

An act for the benefit of John C. Broadhead,

Reported that said amendment should not be concurred in.

The question was then taken on concurring, and it was decided in the negative.

So said amendment was disagreed to.

Mr. Conklin moved to reconsider the vote by which the Senate concurred in an amendment, proposed by the House of Representatives, to a bill from the Senate, entitled

An act to amend the charter of the Paducah and Gulf Railroad Company.

Mr. Alexander moved that said motion be laid upon the table.

The question being taken thereon, it was decided in the affirmative.

Mr. Standeford, from the Committee on Internal Improvement, to whom was referred the amendment, proposed by the House of Representatives, to a bill from the Senate, entitled

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington, and Louisville and Nashville Railroad Companies,

Reported that said amendment should be concurred in.

And the question being taken on concurring, it was decided in the affirmative.

Leave was given to Mr. Carlisle to record his vote in favor of the passage of a bill from the House of Representatives, which passed the Senate on yesterday, entitled

An act directing the purchase of Collins' Historical Sketches of Kentucky.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Eminence and Mulberry Turnpike Road Company.

An act to amend the charter of the town of Catlettsburg.

An act to amend the charter of the Louisville and Jefferson County Association.

An act to amend the charter of the city of Augusta.

An act to amend the charter of the town of Bethel.

An act to amend the charter of the town of Wyoming.

An act to amend the 2d and 3d sections of an act, entitled "An act to establish the Sixteenth Judicial District," approved February 18, 1868, and to regulate the time of holding the circuit courts therein.

An act to amend an act, entitled "An act incorporating the town of Hustonville, and the several acts amendatory thereof."

Messrs. Conklin and Whitaker were added to the select committee on the revision of the revenue laws.

Mr. Conklin, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Elijah Evans, of Jessamine county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	G. W. Connor,	I. A. Spalding,
Jos. M. Alexander,	J. H. Dorman,	A. G. Talbott,
Robert Boyd,	Edwin Hawes,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	W. L. Vories,

Jno. G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb,
W. H. Chelf,	W. H. Payne,	Emery Whitaker,
Harrison Cockrill,	Lewis Perrin,	Thos. Wrightson—22.
Wm. L. Conklin,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported without amendment, from the several committees to whom they had been referred, viz:

By Mr. Spalding, from the Committee on Finance—

1. An act to amend an act, entitled "An act for the benefit of late clerks, late sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

By Mr. Chelf, from the Committee on Education—

2. An act to require common school commissioners and county attorneys, in the respective counties, to report on the condition of the fund known as the County Seminary Fund.

Ordered, That the 1st be recommitted to the Committee on Finance, and that the 2d be printed.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

1. A bill to incorporate the Barren River Lock and Dam Company.

By Mr. Spalding, from the Committee on Finance—

2. A bill for the benefit of John Moore, jailer of Green county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be printed, and made the special order of the day for Monday next, 13th inst., and that the 2d be engrossed and read a third time.

Said last named bill being engrossed, was read a third time as follows, viz:

WHEREAS, It appears that under a writ of *habeas corpus*, issued from the United States Court at Louisville, in September, 1870, John Moore, jailer of Green county, was compelled to carry a negro woman, named Emily Roberts, charged with murder, and confined in the Green county jail, to the city of Louisville; and whereas, said Moore was compelled to pay the expenses of transportation himself; and whereas, the Federal authorities failed and refused to

pay to said jailer his traveling expenses in going to and from said city, or to pay him any thing for his trouble; now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is, directed to draw his warrant on the Treasury in favor of said Moore for the sum of fifty-eight dollars and twenty-five cents, to be paid out of any funds in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Wm. Johnson,	I. A. Spalding,
W. H. Chelf,	John W. Johnson,	E. D. Standeford—8.
G. W. Connor,	Lewis Perrin,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. H. Dorman,	A. C. Vallandingham,
Robert Boyd,	Edwin Hawes,	Ben. J. Webb,
R. A. Burton,	W. H. Payne,	Emery Whitaker,
Jno. G. Carlisle,	Oscar Turner,	Thos. Wrightson—14.
Wm. L. Conklin,	H. A. Tyler,	

So said bill was rejected.

On motion of Mr. Talbott, a message was sent to the House of Representatives, to ask leave to withdraw the announcement of the Senate's passage of a bill, originating in the Senate, entitled

An act to authorize and legalize appropriations out of the railroad fund of Boyle county.

On motion of Mr. Cockrill, leave of indefinite absence was granted to Mr. Winfrey.

And then the Senate adjourned.

FRIDAY, MARCH 10, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Cloverport.

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1st, 1854.

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest.

With an amendment to the amendment proposed by the Senate to the last named bill.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 84, title "Roads and Passways," Revised Statutes.

An act to authorize the Fulton county court to levy and collect a tax to build a new jail, and to purchase grounds for the same.

An act to extend the time to the Hart county court in which to build fire-proof vaults.

An act to amend an act incorporating the Northeastern Kentucky Agricultural Association, approved February 22d, 1860, and to legalize the election of officers heretofore, and their acts as such.

An act for the benefit of Lincoln county.

An act to incorporate the Tradewater Coal and Transportation Company.

An act to amend section 21, chapter 84, entitled "Roads and Passways," Revised Statutes.

An act for the benefit of the Presbyterian Church in the town of Winchester.

An act for the benefit of Greenville Hill Cemetery, in Woodford county.

An act to amend title 10, chapter 4, section 467, of the Civil Code of Practice.

An act to authorize the citizens of Knox county to vote a tax for the purpose of constructing public buildings.

An act to change the time of holding the February term of the Marion circuit court.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Saloma, in Taylor county.

An act for the benefit of the town of Hodgenville, in Larue county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in magistrates' district No. 2, in the county of Franklin.

An act to repeal an act, entitled "An act for the benefit of the citizens of Williamsburg, in Whitley county."

An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the center thereof.

An act in relation to the sale of spirituous liquors in Morgan county.

An act to amend section 2, article 1, of chapter 48, Revised Statutes, title "Idiots and Lunatics."

An act to amend the charter of Cave City, in Barren county.

An act for the benefit of Clark and Montgomery counties.

An act for the benefit of the Slate Union or Salt Well Church, in Bath county.

An act to amend section 6 of article 3, chapter 26, Revised Statutes, title "County Levy."

An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, in Harrison county.

An act to incorporate the Eminence and Sulphur Fork Turnpike Road Company.

An act to incorporate the Monterey and New Columbus Turnpike Road Company.

An act declaring a portion of Round Stone creek, in Rockcastle county, navigable.

An act to amend the charter of the Owenton and Clay Lick Turnpike Road Company.

An act to incorporate Abbott's Landing and Big Twin Creek Turnpike Road Company.

An act authorizing certain voters of Nelson county to vote a tax to aid in the construction of the Chaplain and Anderson Turnpike Road and the Ash Creek Turnpike Road.

An act to repeal an act declaring the Bayou DeChein a navigable stream.

An act to amend the charter of the Danville and Pleasant Hill Turnpike Road Company.

An act to amend the charter of the Smithfield and Ballardville Turnpike Road Company.

That they had passed bills of the following titles, viz:

1. An act appropriating certain lands to the county of Pendleton.

2. An act to amend an act, entitled "An act to establish the county of Elliott."

3 An act to repeal section 6 of an act, entitled "An act to amend the charter of the Ashland and Catlettsburg Turnpike"

4. An act for the benefit of Woodford county.

5. An act increasing the common law jurisdiction of the police court of Caseyville, in Union county.

6. An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company.

7. An act to incorporate the Newcastle and Bethlehem Turnpike Road Company.

8. An act to declare John's creek, in Floyd, Johnson, and Pike counties, a navigable stream.

9. An act to charter the Springfield and Chaplain Turnpike Road Company.

10. An act to incorporate the Perryville and Old Mackville Turnpike Road Company, in Boyle and Mercer counties.

11. An act to charter the Middleburg, Knob Lick, and Trace Fork Turnpike Road Company.

12. An act to amend an act, entitled "An act to incorporate the Cynthiana and Millersburg Turnpike Road Company."

13. An act for the benefit of the Bridgeport and Farmdale Turnpike Road Company.

14. An act for the benefit of the Covington and DeCourcey Creek Turnpike Road Company.

15. An act for the benefit of Park's Ferry and Carlisle Turnpike Road Company.

16. An act to authorize the Anderson county court to levy a tax to build bridges, and for other purposes.

17. An act to amend the charter of the Paducah and Lovelaceville Gravel Road Company.

18. An act to charter the Lagrange and Brownsboro Turnpike Company.

19. An act to incorporate the Frenchburg and Owingsville Turnpike Road Company.

20. An act fixing the rate of freight and tolls on the North Middletown and Mount Sterling Turnpike Road.

21. An act to expedite the collection of the war claim of the State of Kentucky.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 18th, 19th, and 20th to the Committee on Internal Improvement; the 2d to the Committee on Propositions and Grievances; the 4th to the Committee on Courts of Justice; the 5th to the Committee on Revised Statutes and Codes of Practice; the 17th to the Committee on the Judiciary; and the 21st to the Committee on Claims.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Glasgow Junction and Mammoth Cave.

An act to amend the charter of the Paducah and Gulf Railroad Company.

An act to amend an act, entitled "An act to repeal section 3 of the charter of Catlettsburg."

An act to amend the charter of the Oakland Plank Road Company, of Jefferson county.

An act to amend the charter of the town of Harrodsburg.

Resolution in relation to claims against the United States Government for tolls on Green and Barren rivers.

Leave was given to bring in the following bills, viz:

On motion of Mr. Payne—

1. A bill to incorporate the Bowling Green and Madisonville Railroad Company.

On motion of same—

2. A bill to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company.

On motion of same—

3. A bill for the better organization of public schools in the city of Bowling Green.

Ordered, That the Committee on Railroads prepare and bring in the 1st and 2d, and the Committee on Education the 3d.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington, and Louisville and Nashville Railroad Companies;

An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts;

An act to reduce into one, amend and digest, the acts and amendatory acts incorporating the city of Paris;

An act to attach the counties of Elliott and Lee to the Thirty-fourth Senatorial District;

An act to amend an act, entitled "An act to incorporate the Harrodsburg, Duncansville, and Chaplaintown Turnpike Road Company;"

An act for the benefit of Thomas Cook, James Root, John E. White, and Howell Brewer;

An act to amend an act, approved March 15th, 1867, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river;"

An act to amend the charter of the Liberty and Middleburg Turnpike Road Company, approved March 21, 1870;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Morganfield;"

An act to amend the charter of the Masonic Temple Company, of Louisville;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of Cloverport and Lower Cloverport into the town of Cloverport,'" approved March 5th, 1868;

An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county;

An act for the benefit of Granville Evans, of Wolfe county;

An act authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes;

An act to establish a public school for colored children in the city of Henderson;

An act to establish a graded school at St. James, late Shelby College, in Shelbyville;

An act to amend first section of an act, entitled "An act to amend the charter of the Washington County Agricultural Society," approved February 20, 1868;

An act to amend an act, entitled "An act to amend an act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company;"

An act for the benefit of Haly & Brawner;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

The following petitions and remonstrance were presented, viz:

By Mr. Boyd—

The petition of sundry citizens of Rockcastle county, praying the repeal of an act to prohibit the sale of intoxicating liquors in said county, approved March 21st, 1870.

By same—

The remonstrance of sundry citizens of Rockcastle county, against the repeal of an act to prohibit the sale of intoxicating liquors in said county, approved March 21st, 1870.

By Mr. J. W. Johnson—

The petition of numerous citizens of Ohio county, praying the

passage of an act prohibiting the sale of intoxicating liquors in said county.

Which were received, the reading dispensed with, and referred to the Committee on Religion and Morals.

The announcement having been withdrawn from the House of Representatives of the Senate's passage of a bill, entitled

An act to authorize and legalize appropriations out of the railroad fund of Boyle county,

On motion of Mr. Talbott, the votes by which said bill was passed, the third reading dispensed with, and the engrossment and third reading ordered, were reconsidered respectively.

Mr. Tyler, from the Committee on Propositions and Grievances, reported a bill, entitled

A bill to amend the charter of the town of Elizabethtown.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Lyttle, the vote was reconsidered by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to authorize John B. Goff to erect a boom across Big creek, in Martin county.

And said bill was recommitted to the Committee on Internal Improvement.

Mr. Carlisle, from the Committee on the Judiciary, reported a bill, entitled

A bill to authorize the Fayette county court to appropriate money.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, An election was held in the county of Fayette on the first Monday in August, 1870, for county judge, attorney, clerk, sheriff, jailer, assessor, and coroner, and suits were instituted in the District Court of the United States against the persons elected to

said offices by the defeated condidates to recover said offices under the provisions of the act of Congress approved May 31st, 1870, entitled "An act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes;" and said suits were instituted after all of said officers, except sheriff, had been duly qualified, and had entered upon the discharge of their duties; and whereas, said officers were compelled to employ attorneys to defend said suits at considerable expense, and one of said suits, viz: the suit of D. G. Falconer vs. J. R. Morton, county attorney of said county, is still pending in said court, the others having been dismissed by the plaintiffs; and whereas, the citizens and county court of said county are desirous of testing the constitutionality of said act of Congress—

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for the county court of said county, a majority of the justices of said county concurring therein, to employ an attorney to defend said suit for and in behalf of said county attorney, and to carry the cause to the Supreme Court of the United States, if necessary, and to make to said attorney so employed such an allowance as, in their judgment, shall be reasonable; and further, that the said county court may make to said public officers as to whom said suits have been dismissed such an allowance as will defray the expenses of said contest, and enable said persons to pay other counsel a reasonable fee; to be paid out of any funds belonging to said county not otherwise appropriated.

§ 2. That it shall not be lawful for the county judge of the said county to vote upon the question of making any of the allowances herein provided for.

§ 3. That it shall be the duty of the presiding judge of Fayette county to call the justices of Fayette county together at the April county court, 1871, for the purpose of considering and acting upon the appropriation mentioned in the first section of this act.

§ 4. This act shall take effect and be in force from and after its passage.

Mr. Hawes moved to amend said bill by striking out the fourth or last section thereof, and inserting in lieu thereof the following, viz:

This act shall take effect as soon as it shall be ratified by a majority of the voters of said county voting at the next regular election in said county.

Mr. Wrightson moved to amend said amendment by adding thereto these words, viz:

Provided, That the county court shall appropriate an equal amount to both sides in the litigation.

Which was rejected.

The question was then taken on the adoption of the amendment proposed by Mr. Hawes, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Hawes, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Edwin Hawes,	Thos. Wrightson—3.

Those who voted in the negative, were—

Mr SPEAKER (Holt),	Lyttleton Cooke,	Lewis Perrin,
A. K. Bradley,	J. H. Dorman,	I A. Spalding,
R A. Burton,	William Johnson,	A. G. Talbott,
Jno. G. Carlisle,	John W. Johnson,	H. A. Tyler,
W. H. Chelf,	D. Y. Lyttle,	A. C. Vallandingham,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
Wm. L. Conklin,	W. H. Payne,	Emery Whitaker—22.
G. W. Connor,		

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	Lewis Perrin,
A. K. Bradley,	J. H. Dorman,	I. A. Spalding,
R. A. Burton,	W. McKee Fox,	A. G. Talbott,
John G. Carlisle,	William Johnson,	Oscar Turner,
W. H. Chelf,	John W. Johnson,	H. A. Tyler,
J. Q. Chenoweth,	D. Y. Lyttle,	A. C. Vallandingham
Wm. L. Conklin,	A. L. McAfee,	Ben. J. Webb,
G. W. Connor,	W. H. Payne,	Emery Whitaker—24.

Those who voted in the negative, were—

Robert Boyd,	Edwin Hawes,	Thos. Wrightson—3.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the amendment proposed by the House of Representatives to the amendment proposed by the Senate as a substitute for a bill, which originated in the House of Representatives, entitled

An act to take the sense of the people of this Commonwealth in regard to a conventional rate of interest.

Said amendment is as follows, viz:

Strike out in the 6th section, after the words "incorporated institution to charge a greater," the words "rate of interest," and insert in lieu thereof the words "amount including exchange."

The question being taken on concurring in the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	I. A. Spalding,
Jos. M. Alexander,	J. H. Dorman,	E. D. Standeford,
Robert Boyd,	W. McKee Fox,	Oscar Turner,
A. K. Bradley,	Wm. Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
John G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb,
W. H. Chelf,	A. L. McAfee,	Emery Whitaker,
J. Q. Chenoweth,	W. H. Payne,	Thos. Wrightson—26.
Wm. L. Conklin,	Lewis Perrin,	

Those who voted in the negative, were—

F. M. Allison,	Edwin Hawes,	A. G. Talbott—4.
G. W. Connor,		

So the amendment of the House to the Senate's amendment as a substitute was concurred in.

The Senate, according to order, took up for consideration a bill, entitled

A bill repealing the 3d section of an act, entitled "An act conferring certain civil rights upon negroes and mulattoes," approved February 14, 1866,

With the amendment proposed by the committee as amended, and the amendment proposed by Mr. Spalding as a substitute therefor.

Mr. Turner moved that the further consideration of said bill and proposed amendments be postponed to Tuesday next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	J. H. Dorman,	H. A. Tyler,
Jno. G. Carlisle,	D. Y. Lyttle,	A. C. Vallandingham,
J. Q. Chenoweth,	A. G. Talbott,	W. L. Vories—11.
G. W. Connor,	Oscar Turner,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	Lewis Perrin,
Jos. M. Alexander,	W. McKee Fox,	I. A. Spalding,
F. M. Allison,	Edwin Hawes,	E. D. Standeford,
Robert Boyd,	William Johnson,	Ben. J. Webb,
A. K. Bradley,	John W. Johnson,	Emery Whitaker,
W. H. Chelf,	W. H. Payne,	Thos. Wrightson—19.
Wm. L. Conklin,		

Mr. McAfee then moved that said bill and pending amendments be laid upon the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Webb and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Lewis Perrin,	H. A. Tyler,
A. K. Bradley,	I. A. Spalding,	A. C. Vallandingham,
R. A. Burton,	A. G. Talbott,	W. L. Vories,
J. B. Hayden,	Oscar Turner,	Emery Whitaker—13.
A. L. McAfee,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Wm. L. Conklin,	William Johnson,
Jos. M. Alexander,	G. W. Connor,	John W. Johnson,
Robert Boyd,	Lyttleton Cooke,	W. H. Payne,
Jno. G. Carlisle,	J. H. Dorman,	E. D. Standeford,
W. H. Chelf,	W. McKee Fox,	Ben. J. Webb,
J. Q. Chenoweth,	Edwin Hawes,	Thos. Wrightson—18.

Mr. Spalding then withdrew his amendment.

Mr. Turner then moved to amend the amendment proposed by the committee as amended, by inserting the following proviso, viz:

Provided, That the party first introducing negro testimony in any action shall not be permitted to testify therein, unless similar testimony is introduced by the opposite party.

The question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Wm. L. Conklin,	A. G. Talbott,
Jos. M. Alexander,	J. H. Dorman,	Oscar Turner,
A. K. Bradley,	J. B. Hayden,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
Jno. G. Carlisle,	Lewis Perrin,	Ben. J. Webb,
W. H. Chelf,	I. A. Spalding,	Emery Whitaker—20.
J. Q. Chenoweth,	E. D. Standeford,	

Those who voted in the negative, were—

F. M. Allison,	W. McKee Fox,	A. L. McAfee,
Robert Boyd,	Edwin Hawes,	W. H. Payne,
G. W. Connor,	Wm. Johnson,	Thos. Wrightson—10.
Lyttleton Cooke,		

Mr. Standeford moved to amend the amendment proposed by the committee as amended, by inserting the following proviso, viz:

Provided, Nothing in this act shall legalize negro testimony without the consent of the parties in interest, unless the United States Courts

shall have transferred all cases under the Civil Rights Bill to the State Courts having jurisdiction in such cases.

The question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. B. Hayden,	H. A. Tyler,
A. K. Bradley,	Lewis Perrin,	A. C. Vallandingham,
R. A. Burton,	I. A. Spalding,	W. L. Vories,
W. H. Chelf,	E. D. Standeford,	Emery Whitaker—14.
J. Q. Chenoweth,	Oscar Turner,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	A. L. McAfee,
F. M. Allison,	J. H. Dorman,	W. H. Payne,
Robert Boyd,	W. McKee Fox,	A. G. Talbott,
John G. Carlisle,	Edwin Hawes,	Ben. J. Webb,
Wm. L. Conklin,	William Johnson,	Thos. Wrightson—17.
G. W. Connor,	John W. Johnson,	

Mr. Burton then moved to amend the committee's amendment as amended, by striking out the words "This act shall be in force from and after its passage," and inserting in lieu thereof the following, viz:

This act to take effect when Congress repeals the act, approved May 31, 1870, entitled "An act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes.

The question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. B. Hayden,	A. G. Talbott,
A. K. Bradley,	John W. Johnson,	Oscar Turner,
R. A. Burton,	A. L. McAfee,	H. A. Tyler,
W. H. Chelf,	Lewis Perrin,	A. C. Vallandingham,
J. Q. Chenoweth,	I. A. Spalding,	W. L. Vories,
G. W. Connor,	E. D. Standeford,	Emery Whitaker—18.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	Wm. Johnson,
F. M. Allison,	J. H. Dorman,	W. H. Payne,
Robert Boyd,	W. McKee Fox,	Ben. J. Webb,
Jno. G. Carlisle,	Edwin Hawes,	Thos. Wrightson—13.
Wm. L. Conklin,		

Mr. Cooke then moved the following amendment to the amendment of the committee as amended, as a substitute therefor, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, No person shall be disqualified as a witness, in any civil action or special proceeding, by reason of his interest in the event of the same as a party or otherwise; but such interest may be shown for the purpose of affecting his credibility.

§ 2. Nothing in the preceding section contained shall, in any manner, affect the laws now existing relating to the settlement of estates of deceased persons, infants, idiots, or lunatics, or the attestation of the execution of wills, or of conveyances of real estate, or of any other instrument required by the law to be attested.

§ 3. Neither husband nor wife shall be competent for or against each other, or concerning any communication made by one to the other, during marriage, whether called while that relation subsisted or afterwards: *Provided, however*, That in actions where the wife, were she a *feme sole*, would be plaintiff or defendant, the wife may testify, or her husband may testify, but both shall not be permitted to testify.

§ 4. No party shall be allowed to testify, by virtue of section 1, in any action or special proceeding where the adverse party is deaf and dumb, or is the guardian or trustee of a child or children, or is the committee of an idiot or lunatic, or is the executor or administrator of a deceased person, or is the party claiming as heir or devisee of a deceased person, except in the following cases, viz:

1st. In actions or special proceedings with the executor, administrator, guardian, or trustee of infants, heir or devisee, as above specified, a party may testify to facts which occurred after the death of the decedent or parent.

2d. In actions or special proceedings upon contracts made by deceased persons through agents, and in which the agent shall testify, a party may testify to all that transpired between him and the agent in relation to such contract and the making thereof, and in relation to any conversations or transactions between himself and such agent testified to by the agent.

3d. In actions or special proceedings of either of the classes above specified, in which any adverse party, or any other person having a direct interest in the matter in controversy, shall be called as a witness, and testify to transactions or conversations with a party to such action, such party shall also be permitted to testify as to such specific transactions and conversations.

4th. In actions or special proceedings of either of the classes above specified, in which one party calls a witness (other than an agent or person intrusted) to prove conversations or admissions of the opposite party, occurring before the death of said deceased person, but in his absence the opposite party may testify as to the same conversations or admissions.

5th. In actions or special proceedings of either of the classes above specified, in which the claim or defense is founded on book account, a party may testify as to the correctness of the original

entries, if made by himself, or that they were made by a deceased person, or by a disinterested person non-resident of the State at the time of trial; and on such authentication of the account-book and entries, said book and entries shall be admissible as evidence in the case.

6th. If the deposition of a party who has died during the pendency of the suit shall be given in evidence on the trial of such cause, the opposite party may testify as to all matters contained in said deposition and not excluded by irrelevancy or inadmissibility. In all actions or special proceedings by or against a surviving partner or partners, or a surviving joint contractor or contractors, no adverse party to the suit shall be a competent witness to testify to transactions or declarations or admissions made by the deceased in the absence of his surviving partner or joint contractor.

§ 5. If a person offer himself or herself as a witness, that shall be deemed a consent to the examination of his or her attorney on the same subject, within the meaning of subdivision 5, section 670, of the Civil Code.

§ 6. No person who would, if a party, be incompetent to testify under the provisions of section 4 of this act, shall become competent by reason of the assignment of his claim.

§ 7. No one shall be incompetent as a witness because of his or her race or color.

§ 8. This act shall be in effect from its passage; but sections 1 to 6, inclusive, shall not apply to actions or special proceedings instituted before its passage.

Mr. Bradley moved the previous question.

The question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. L. McAfee,	I. A. Spalding,
Robert Boyd,	W. H. Payne,	E. D. Standeford,
A. K. Bradley,	Lewis Perrin,	H. A. Tyler—10.
William Johnson,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	G. W. Connor,	A. G. Talbott,
Jos. M. Alexander,	Lyttleton Cooke,	Oscar Turner,
R. A. Burton,	J. H. Dorman,	A. C. Vallandingham,
John G. Carlisle,	W. McKee Fox,	W. L. Vories,
W. H. Chelf,	Edwin Hawes,	Ben. J. Webb,
J. Q. Chenoweth,	J. B. Hayden,	Emery Whitaker,
Wm. L. Conklin	John W. Johnson,	Thos. Wrightson—21

The question was then taken on the adoption of the amendment proposed by Mr. Cooke, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Wm. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	J. H. Dorman,	Ben. J. Webb,
John G. Carlisle,	William Johnson,	Emery Whitaker,
J. Q. Chenoweth,	W. H. Payne,	Thos. Wrightson—10.
Lyttleton Cooke,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	I. A. Spalding,
Jos. M. Alexander,	Edwin Hawes,	A. G. Talbott,
F. M. Allison,	J. B. Hayden,	Oscar Turner,
A. K. Bradley,	John W. Johnson,	H. A. Tyler,
R. A. Burton,	A. L. McAfee,	A. C. Vallandingham,
W. H. Chelf,	Lewis Perrin,	W. L. Vories—19.
Wm. L. Conklin,		

Mr. Carlisle then moved that the enacting clause of said bill be stricken out.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	G. W. Connor,	Lewis Perrin,
Jos. M. Alexander,	J. H. Dorman,	I. A. Spalding,
F. M. Allison,	W. McKee Fox,	A. G. Talbott,
Robert Boyd,	Edwin Hawes,	Oscar Turner,
A. K. Bradley,	J. B. Hayden,	H. A. Tyler,
R. A. Burton,	Wm. Johnson,	A. C. Vallandingham,
Jno. G. Carlisle,	John W. Johnson,	W. L. Vories,
W. H. Chelf,	D. Y. Lyttle,	Emery Whitaker—26.
Wm. L. Conklin,	A. L. McAfee,	

Those who voted in the negative, were—

J. Q. Chenoweth,	W. H. Payne,	Thos. Wrightson—5.
Lyttleton Cooke,	Ben. J. Webb,	

So said bill was rejected.

And then the Senate adjourned.

SATURDAY, MARCH 11, 1871.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky.

An act to attach the county of Martin to the 16th judicial district.

An act to repeal an act, entitled "An act to re-enact an act, entitled 'An act regulating the time of holding the circuit courts,'" approved March 5, 1856, approved February 25, 1870.

An act to amend an act, entitled "An act to incorporate the Savings and Deposit Bank in Elkton, Todd county.

An act to amend the charter of the Warren Deposit Bank.

An act to change the time of holding the circuit courts of Pulaski county, in the 8th judicial district.

An act to amend an act, entitled "An act to amend the charter of the town of Danville," approved February 17, 1871.

An act to authorize the Fayette county court to appropriate money.

An act to provide for the erection of a new warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion.

With amendments to the last named bill, which were taken up, twice read, and concurred in.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of intoxicating liquors in district No. 9, in Meade county.

An act changing the time of holding the Montgomery quarterly courts.

An act to incorporate the town of Casey's Mines, in Union county.

An act to amend the charter of the city of Henderson.

An act to amend the charter of the city of Dayton, in Campbell county.

An act providing for the completion of the fire-proof offices in the city of Frankfort.

Resolution to purchase Cain's portrait of Chief Justice Robertson.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the German Insurance Company, of Louisville.

2. An act for the benefit of M. M. Feagar, of Fleming county.

3. An act to amend an act, entitled "An act to create a special road law for the county of Pendleton."

4. An act to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c."

5. An act to incorporate the Campbell County Kentucky Bank.

6. An act to incorporate the Bank of the Metropolis.

7. An act for the benefit of Robert Gibbs.

8. An act for the benefit of Mrs. Russell Kavanaugh, widow of the late Judge G. W. Kavanaugh.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th, and 6th to the Committee on Banks and Insurance; the 2d to the Committee on Courts of Justice; the 3d and 4th to the Committee on Internal Improvement; the 7th to the Committee on the Revised Statutes; and the 8th was ordered to be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, The Hon. G. W. Kavanaugh departed this life on the 18th day of November, 1870, while filling the office of judge of the 7th judicial district; and whereas, his wife and children are left in a destitute and dependent condition, such as to call from the representatives of the people, whom the deceased had so faithfully and zealously served, some measure of relief; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $2,000 be set apart, out of any money in the Treasury not otherwise appropriated, for the use and benefit of said Mrs. Russell Kavanaugh; and that the Auditor of Public Accounts is hereby instructed to draw his warrant on the Treasury for said sum to the order of the said Mrs. Russell Kavanaugh.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Wm. L. Conklin,	W. H. Payne,
Jos. M. Alexander,	Lyttleton Cooke,	Lewis Perrin,
F. M. Allison,	W. McKee Fox,	A. G. Talbott,
A. K. Bradley,	J. B. Hayden,	Oscar Turner,
R. A. Burton,	William Johnson,	W. L. Vories,
W. H. Chelf,	John W. Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	D. Y. Lyttle,	Emery Whitaker,
John B. Clark,	A. L. McAfee,	Thos. Wrightson—24.

Those who voted in the negative, were—

J. H. Dorman, Edwin Hawes—2.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cooke, from the Committee on the Judiciary—

An act to amend an act to incorporate the Cook Benevolent Institution.

By same—

An act to revive an act, entitled "An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson," approved 2d day of March, 1869.

By same—

An act to amend the 8th section of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3, 1870, in relation to wharfmaster.

By same—

An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary.

By same—

An act to amend an act, entitled "An act to incorporate the town of Pleasureville, in Henry county."

By Mr. Turner, from same committee—

An act to amend and reduce into one the several acts in reference to the town of Eminence.

By same—

An act to amend the charter of the Louisville and Nashville Railroad Company.

By same—

An act to amend the charter of the Paducah and Lovelaceville Gravel Road Company.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Georgetown," approved March 1st, 1847.

By same—

An act to amend the charter of the city of Covington.

By same—

An act to amend the charter of the city of Frankfort.

By same—

An act to incorporate the Kentucky Masonic Relief Association.

By same—

An act to amend the charter of the Paducah Chephna Eshurum Burial Society.

By same—

An act to authorize the trustees of the town of Alexandria, in Campbell county, to change an alley in said town.

By Mr. W. Johnson, from same committee—

An act to extend the corporate limits of the town of Blandville, in Ballard county.

By same—

An act for the benefit of O. C. Bowles and Geo. N. Brown, and their associates, lessees, and vendees.

By same—

An act for the benefit of Emily Wall, of Harrison county.

By same—

An act for the benefit of P. J. Sheeran, of Newport.

By same—

An act for the benefit of Woodford county.

By Mr. Boyd, from the Committee on Propositions and Grievances—

An act to change the boundary line between the counties of Ohio and Butler.

By same—

An act to amend an act, entitled "An act to prohibit the destruction of fish in Cumberland river, above the falls."

By same—

An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant.

By same—

An act to amend an act, entitled "An act to establish the county of Elliott."

By same—

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, so far as it applies to Rhodes creek, in Daviess county."

By Mr. Cooke, from the Committee on Railroads—

An act for the benefit of Spencer county in relation to the Louisville, Harrodsburg, and Virginia Railroad.

By Mr. Turner, from the Committee on the Judiciary—

An act to incorporate a steam ferry company at the mouth of the Ohio river, in Ballard county.

By Mr. Cooke, from same committee—

An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling.

By Mr. W. Johnson, from same committee—

An act to amend the charter of the town of Cromwell, in Ohio county.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Conklin, from the Committee on the Judiciary—

A bill to amend the charter of the city of Covington.

By Mr. Cooke, from same committee—

A bill to authorize and empower the Bedford Division, Sons of Temperance, to sell and convey its real estate.

By same—

A bill to further increase the resources of the sinking fund of the city of Louisville.

By same—

A bill concerning the city court of Louisville.

By same—

A bill to provide for the settlement of the accounts of Jordan Clark and Thos. P. Smith, late receivers of the Louisville chancery court.

By same—

A bill for the benefit of the Southern Stock-yard Company.

By same—

A bill for the benefit of Logan county.

By Mr. Payne, from same committee—

A bill to incorporate the town of Smith's Grove, in Warren county.

By same—

A bill to amend the charter of the Bowling Green Water-works Company.

By Mr. Conklin, from same committee—

A bill to incorporate the Grayson Springs and Grayson Springs Station Turnpike Road Company, in Grayson county.

By same—

A bill to exclude Crab Orchard Springs from the limits of Crab Orchard.

By same—

A bill to prevent justices of the peace in Kenton county from holding inquests in certain cases.

By same—

A bill for the benefit of the Franklin Library, of Covington.

By Mr. Boyd, from the Committee on Propositions and Grievances—

A bill prohibiting the sale of spirituous liquors in Josh Bell county.

By Mr. Cooke, from the Committee on Railroads—

A bill to amend the charter of the Elizabethtown and Tennessee Railroad Company.

By same—

A bill to amend the charter of the Hartford Railroad and Mining Company.

By same—

A bill to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11, 1867.

By same—

A bill to incorporate the Bowling Green and Madisonville Railroad Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company;

An act to repeal an act declaring the Bayou DeChein a navigable stream;

An act to incorporate the Monterey and New Columbus Turnpike Road Company;

An act to incorporate Abbott's Landing and Big Twin Creek Turnpike Road Company;

An act to incorporate the Eminence and Sulphur Fork Turnpike Road Company;

An act to amend an act, entitled "An act to provide for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life insurance companies," approved March 12th, 1870;

An act authorizing certain voters of Nelson county to vote a tax to aid in the construction of the Chaplain and Anderson Turnpike Road and the Ash Creek Turnpike Road;

An act for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, in Harrison county;

An act to reduce into one the several acts in regard to the town of Somerset;

An act to amend the charter of the Danville and Pleasant Hill Turnpike Road Company;

An act to amend the charter of the Owenton and Clay Lick Turnpike Road Company;

An act declaring a portion of Round Stone creek, in Rockcastle county, navigable;

An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky;

An act to authorize the Fayette county court to appropriate money;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John A. Wilson, clerk of the Fulton county court;

An act for the benefit of M. C. Hughes, late sheriff of Gallatin county;

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1st, 1854;

An act for the benefit of J. S. Randall, of Whitley county;

An act to amend an act, entitled "An act to incorporate the Simpsonville and Antioch Turnpike Road Company;"

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same;'"

An act for the benefit of R. W. Stringer, of Livingston county;

An act for the benefit of Elijah Evans, of Jessamine county;

An act concerning the collection of claims of the State of Kentucky against the Federal Government;

An act to incorporate the Louisville Stock-yard Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 11, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

John P. Harrison, Kenton county.
T. B. Phillips, Fayette county.
James M. Fidler, Marion county.
W. F. Owsley, Cumberland county
Scott Walker, Cumberland county.
A. B. Fontaine, Jefferson county.
Selby Harney, Jefferson county.
Tho. E. C. Brooks, Jefferson county.
Albert S. Willis, Jefferson county.

Preston Rogers, Jefferson county.
Chas. Plohn, Jefferson county.

Very respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Haly & Brawner.

An act to incorporate the Kentucky Statesman Printing Company.

An act to amend an act, entitled "An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown."

An act to incorporate the Louisville Railway Transfer Company, and conferring certain powers in relation thereto on the Louisville, Cincinnati and Lexington, and Louisville and Nashville Railroad Companies.

An act for the benefit of Thomas Cook, James Root, John E. White, and Howell Brewer.

An act to amend an act, approved March 15th, 1869, entitled "An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river."

An act to attach the counties of Elliott and Lee to the Thirty-fourth Senatorial District.

An act to amend the charter of the Liberty and Middleburg Turnpike Road Company, approved March 21, 1870.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Morganfield."

An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts.

An act to amend the charter of the Masonic Temple Company, of Louisville.

An act to amend an act, entitled "An act to incorporate the Harrodsburg, Duncansville, and Chaplaintown Turnpike Road Company."

An act to create and regulate the office of county treasurer for McCracken county.

Mr. Turner, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the town of Midway,

Reported the same with an amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall be lawful for any qualified voter under the laws of this Commonwealth, not resident of the town of Midway, but who is the owner and holder of real estate in said town, to vote at any election for town officers of said town.

§ 2. It shall be the duty of the judges of elections for said town to refuse to receive the vote of any resident of Midway until he shall have first presented a receipt from the marshal, or other officer of said town, showing that his poll-tax for such election has been paid.

§ 3. The board of trustees of said town shall have power to pass ordinances prohibiting hogs from running at large in the streets of said town; and any person, either a resident or non-resident of the town of Midway, who permits or suffers his or her hog or hogs to run at large in said town shall be fined for each offense a sum not exceeding three dollars; and, upon their failure to pay the same, a *capias pro fine* may immediately issue from the office of the police judge, and such person or persons be confined in the work-house until such fine shall have been worked-out, as provided by the charter and ordinances of said town.

§ 4. That so much of the town of Midway known as Haydensville is hereby excluded from the corporate limits of said town, and the residents and real estate owners in Haydensville shall no longer be assessed or liable to pay taxes for town purposes. The board of trustees of said town are hereby authorized to so alter the corporate limits of their town as to exclude therefrom that portion known as Haydensville.

§ 5. This act to be in force from its passage.

Said amendment is as follows, viz:

Strike out section 1st and insert in lieu thereof the following: That hereafter it shall be lawful for any qualified voter, under the laws of this Commonwealth, residing in the voting precinct in which the town of Midway is situated, and owning real estate in said town, to vote at any election for town officers therein; and the election for town officers, held in said town on the 4th day of March, 1871, shall be, and is hereby, legalized, and the several officers then elected shall hold the offices to which they were respectively chosen for and during the terms now fixed by law.

Mr. Wrightson moved to amend said amendment by striking out the words "and owning real estate in said town."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Webb, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd, Wm. L. Conklin, Thos. Wrightson—3.

Those who voted in the negative, were—

Mr. SPEAKER (Holt), J. H. Dorman, W. H. Payne,
F. M. Allison, W. McKee Fox, Lewis Perrin,

A. K. Bradley,	Edwin Hawes,	A. G. Talbott,
R. A. Burton,	William Johnson,	Oscar Turner,
J. Q. Chenoweth,	John W. Johnson,	W. L. Vories,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb,
G. W. Connor,	A. L. McAfee,	Emery Whitaker—21.

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

Ordered. That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Payne, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Bowling Green,

Reported the same with an amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, The mayor and board of councilmen shall, at their regular stated meeting on the third Monday of December, 1871, elect three trustees, to be called the Trustees of Fairview Cemetery, to hold their office, respectively, for the term of one, two, and three years, the mayor and board of councilmen determining the length of the term of office of each trustee. On the third Monday in December, 1872, and on the same day in each succeeding December, the mayor and board of councilmen shall elect one trustee of Fairview Cemetery, to hold his office for the term of three years, or until his successor is elected and qualified.

§ 2. The Trustees of Fairview Cemetery shall manage and control said cemetery, subject to the direction of the mayor and board of councilmen; and they shall report to the mayor and board of councilmen, every three months, of their acts and doings. The trustees, when elected and qualified, may appoint all subordinate officers necessary for the successful management of said cemetery, subject to the ratification of the mayor and board of councilmen.

§ 3. It shall be unlawful for any trustee to exercise any control or management of said cemetery previous to having executed a bond, to be approved by the mayor and board of councilmen, for the faithful discharge of the duties of his office; and the mayor and board of councilmen may require a similar bond of subordinate officers.

§ 4. When this amendment becomes a law, the mayor and board of councilmen shall elect three Trustees of Fairview Cemetery, to hold their office until the third Monday in December, 1871; and said trustees, when so elected and qualified, shall appoint two commissioners, who, together with two commissioners appointed by the mayor and board of councilmen, shall settle all the accounts between the

town of Bowling Green and Fairview Cemetery. It is further provided, that said town may have until the third Monday in November, 1871, to discharge and pay off her indebtedness, if any she may have to said cemetery.

§ 5. It shall be lawful for the town to recover, of any person or persons convicted in the Bowling Green police court of the violation of any law or ordinance of said town, the full amount of the cost for the apprehension, detention, safe-keeping, and prosecution of said person or persons; in default of payment or replevy of the judgment which may be rendered against any person or persons for violation of the laws or ordinances of said town, the person or persons so convicted may be put to work upon the streets or public works of said town, or in the work-house of said town, until the full amount of the fine and cost are discharged, at the rate now provided by law. In case of the refusal and failure of any able-bodied person or persons, put to work upon the streets or public works, to perform any work or labor, no deduction shall be made in the fine and cost whilst the failure and refusal to work continues. In case said town shall build, or cause to be provided, a station-house for the safe-keeping of prisoners, the same fees may be taxed as part of the cost against the person detained in said house for the violation of law, in case of conviction, as are now allowed by law in case of conviction, to be taxed as part of the cost for jailer's fees.

§ 6. It shall be lawful for the mayor and board of councilmen to elect and employ police officers by the day or by the month; and said police, when elected and qualified as such, shall have the same power to preserve the peace, to make arrests, and to bring persons to trial before the courts, as is now given by law to the deputies of the marshal of said town.

§ 7. The mayor and board of councilmen are hereby authorized to sell and dispose of so much of Potter street as will be left out in changing the location of said street to make it parallel with Clay street. The mayor and board of councilmen are also authorized to improve the public square purchased of Warren county, and to issue bonds for that purpose, not exceeding ten thousand dollars in amount, bearing interest as may be agreed upon.

§ 8. It shall be the duty of the mayor and of the marshal, and all the officers of said town into whose hands any of the money of said town may come, to deposit the same, immediately upon receiving it, in some bank or other place of safe-keeping, the board of councilmen first having selected the place, preference being given some bank, if any there should be in said town.

§ 9. The mayor and board of councilmen are hereby authorized to levy and collect a poll-tax, not exceeding four dollars, on each male inhabitant of said town over twenty-one years of age; a majority of the board of councilmen concurring, they are hereby authorized to assess, levy, and collect a tax this year, and each succeeding year, not exceeding ten cents, in addition to what is now allowed by law, on each one hundred dollars' worth of all estate—real, personal, and mixed—and in action held, owned, possessed, used, or employed in said town; and when the same is collected, it shall be paid over to

the sinking fund commissioners of said town, to be held and used alone by said commissioners in liquidating and discharging the bonded debt of said town. Said fund shall be kept safely invested so as to bring a good interest, and shall not be used except as heretofore provided. The finance committee, as elected and provided by the laws of said town, shall constitute the sinking fund commissioners, and they shall execute a bond to the town for the faithful performance of their duties.

§ 10. Whereas, the Bowling Green water-works, recently built, and now owned by the town of Bowling Green, are not used for the purpose of profit, but to supply the town with water at moderate cost; said water-works are hereby exempted from the act, entitled "An act to tax railroads and other corporations in aid of the sinking fund," and passed February 20th, 1864.

§ 11. This act to take effect from its passage.

Said amendment reads as follows, viz: "Strike out the tenth or last section but one."

The question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wrightson and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Wm. L. Conklin,	William Johnson,	Emery Whitaker,
Lyttleton Cooke,	Lewis Perrin,	Thos. Wrightson—8.
Edwin Hawes,	A. G. Talbott,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. Q. Chenoweth,	J. B. Hayden,
F. M. Allison,	G. W. Connor,	D. Y. Lyttle,
A. K. Bradley,	J. H. Dorman,	W. H. Payne,
R. A. Burton,	W. McKee Fox,	Oscar Turner—13.
W. H. Chelf,		

Mr. Alexander then moved that the vote by which said amendment was rejected be reconsidered.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Payne and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	D. Y. Lyttle,
Jos. M. Alexander,	J. H. Dorman,	A. G. Talbott,
A. K. Bradley,	Edwin Hawes,	Ben. J. Webb,
W. H. Chelf,	Wm. Johnson,	Emery Whitaker,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—16.
Wm. L. Conklin,		

Those who voted in the negative, were—

F. M. Allison, J. Q. Chenoweth, W. H. Payne,
R. A. Burton, J. B. Hayden, Oscar Turner—6.

The question was again taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Turner, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of the county judge of Carroll county,

Reported the same without any expression of opinion.

On motion of Mr. Vories,

Ordered, That said bill be made the special order of the day for Tuesday next, March 14th.

Mr. Boyd, from the Committee on Courts of Justice, to whom had been referred a bill from the House of Representatives, entitled

An act to designate Tuesday as the first day of the circuit courts in the 5th judicial district,

Reported the same without amendment.

On motion of Mr. Hayden,

Ordered, That said bill be laid upon the table.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Payne, from the Committee on the Judiciary—

An act to amend the charter of the city of Paducah;

By Mr. Conklin, from same committee—

An act for the benefit of Henry C. Thompson, of Livingston county;

With the expression of opinion that said bills ought not to pass.

The question being severally taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was referred the amendment, proposed by the House of Representatives, to a bill from the Senate, entitled

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same,

Reported that said amendment should be concurred in, with an amendment.

The question being taken on the adoption of the amendment proposed by the committee, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said amendment, as amended, and it was decided in the affirmative.

Mr. Turner, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill for the benefit of the tax-payers of Jessamine county,

Reported the same without amendment.

And said bill was placed in the orders of the day.

Mr. Turner, from the Committee on the Judiciary, reported a bill, entitled

A bill to prevent judges from practicing law.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall be unlawful for any Judge of the Court of Appeals, circuit judge, judge of a court of common pleas or criminal court, or chancellor, to practice law, except in cases where he is a party to the action, in any of the courts of this Commonwealth; and for a violation of this section the party offending shall be liable to a fine of not less than $500, and not exceeding $1,000, for each offense, recoverable by indictment of grand jury.

§ 2. This act to take effect from and after the first day of July, 1871.

Mr. Payne moved to amend said bill by adding, as another section, the following, viz:

This act shall not apply to the judge of the Warren court of common pleas.

Which was adopted.

Mr. Fox then moved to amend said bill by adding to the first section thereof the following, viz:

Provided, Nothing herein shall prevent judges from winding up and attending to such suits and cases as they were employed in before elected or appointed.

The question was taken on the adoption thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fox and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. W. Connor,	A. L. McAfee,
R. A. Burton,	Lyttleton Cooke,	Lewis Perrin,
W. H. Chelf,	J. H. Dorman,	W. L. Vories,
J. Q. Chenoweth,	W. McKee Fox,	Emery Whitaker,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—16.
Wm. L. Conklin,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. B. Hayden,	A. G. Talbott,
Jos. M. Alexander,	William Johnson,	Oscar Turner,
A. K. Bradley,	D. Y. Lyttle,	Ben. J. Webb—11.
Edwin Hawes,	W. H. Payne,	

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Conklin, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1870.

By Mr. Cooke, from the Committee on Railroads—

A bill to incorporate the Kentucky and Southern Railroad Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the first be printed, and made the special order of the day for Tuesday next, and that the last be engrossed and read a third time.

Said last named bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That B. W. Frobol, John B. Gordon, and Edward Denmead, of the State of Georgia; and James S. Chrisman, W. McKee Fox, George

R. McKee, A. L. McAfee, James B. McCreary, John C. Breckinridge, and G. W. Smith, of Kentucky, or such of them as shall act, are hereby appointed commissioners; and they and their associates and successors are created a body-politic and corporate, for the purpose of constructing a railroad from Stanford, in this State, to the State line of Tennessee, in the direction of Philadelphia, in the State of Tennessee.

§ 2. The style and name of the corporation hereby created shall be the Kentucky and Southern Railroad Company.

§ 3. The capital stock of said company may be any sum not exceeding five millions of dollars, to be divided into shares of one hundred dollars each; and individuals, railroad companies, and other corporations, either in or out of the State, are authorized to subscribe for and hold stock in said company.

§ 4. The commissioners aforesaid, or such of them as may act, shall have power to open books and receive subscriptions of stock in said company, at any place or places, either in or out of this State, and at any time they may appoint, and upon such notice as they may deem proper; said stock to be paid in money, property, work and materials, or in such other manner, and in such installments, as may be agreed upon between them and the subscribers.

§ 5. When *bona fide* subscriptions of stock to the amount or value of one hundred thousand dollars shall have been made, the said commissioners shall give notice thereof, and assemble the stockholders at some convenient point; and said stockholders from their body shall elect seven directors, one of whom, to be elected by the directors, shall be president of the company. They shall remain in office for one year, or until their successors shall be elected, and which election shall be annually made by the stockholders at some convenient place, of which reasonable notice shall be given. The stockholders may provide that the president and four directors may constitute a quorum of the board of directors. Each stockholder shall have one vote for each share of stock, and may cast the same in person or by proxy.

§ 6. After the organization of the company, as directed by the foregoing section, the management and control of the affairs of the company shall be committed to said board of directors; they may continue to receive subscriptions of stock; they may acquire and hold such real and personal estate as may be necessary and convenient for the objects of the company, may sell and convey the same, and do all and every thing else which may be necessary and proper for the building, equipping, and operating said road; to fix the rates to be paid for travel and the conveyance of freight over said road, not exceeding the rates charged by other similar roads in this State.

§ 7. Said company shall have power to purchase, acquire, and hold any line of railway, finished or unfinished, lying along its line and between its termini, and all the chartered rights and privileges granted to the same, and all its property, right of way, &c.; and may proceed to construct and operate their road upon and along the line of any such finished or unfinished railway, or may construct an independent line of railroad between ———— and ————.

§ 8. Said company, through its board of directors, shall have and may exercise all the powers, and shall have all the rights and privileges usual and incident, and necessary to the purposes, of such corporations. It may contract and be contracted with, sue and be sued, plead and be impleaded, answer and defend, in all courts and places, as a natural person, and may have and use a common seal, and change or alter the same at will.

§ 9. That whenever the said ——— and ——— railroad company shall request the county court of any county through or adjacent to which it is proposed to construct said road, to subscribe either absolutely or upon specified conditions a specified amount to the capital stock of said company, the county court so requested shall forthwith order an election to be held at the several voting places in said county, on a day to be fixed by the court, not later than thirty (30) days after making of such order, and shall appoint judges and other officers necessary to hold said election.

§ 10. That it shall be the duty of the sheriff of such county to give notice to the officers appointed to hold said election in the same manner as is now provided by law in regard to other elections; and in case any of the officers appointed shall fail to attend or refuse to act, others may be appointed in the same manner as at general elections.

§ 11. That the person acting as sheriff at the several precincts shall return to the clerk of the county court, within three (3) days after the day of such election, the poll-book of their respective precincts; and the next day thereafter the county judge and county clerk shall count the vote; and if it shall appear that the majority of those voting voted in favor of the subscription of stock as proposed, the county judge shall order the vote to be entered on the record, and the subscription to be made by the clerk on behalf of the county on the terms specified in the order submitting the question to a vote.

§ 12. That whenever the city council of any city, or the board of trustees of any town, into or near to which it is proposed to construct said Kentucky and Southern Railroad, it shall be the duty of such city council or town trustees to submit to a vote of the qualified voters of such city or town, on a day to be designated by such council or trustees, not later than thirty (30) days after the application is made to them by said company, the question of subscribing for, and on behalf of, such city or town, the amount of stock proposed by said company, on the terms proposed; and if a majority of those voting shall vote in favor of making such subscription, it shall be the duty of such city council or board of trustees to enter the vote on its records; and the mayor of such city, or the president of the board of trustees of such town, shall make the subscription in accordance with the vote.

§ 13. That if any county, city, or town shall subscribe to the capital stock of said Kentucky and Southern Railroad Company, under the provision of this act, it shall be the duty of the county court of such county, the mayor and council of such city, and the board of trustees of such town, to issue the bonds of such county, city, or

town, in denomination of not less than one hundred nor more than one thousand dollars, in payment thereof, with coupons attached, under the seal of said county, city, or town; the bonds of the counties to be signed by the county judge and countersigned by the clerk, and the coupons to be signed by the clerk alone; the bonds of cities subscribing shall be signed by the mayor and countersigned by the city clerk or auditor, and the coupons shall be signed by the city clerk or auditor alone; the bonds of towns subscribing shall be signed by the president of the board of trustees and countersigned by the town clerk, and the coupons shall be signed by the clerk alone. Such bonds shall be negotiable and payable to bearer at not more than thirty (30) years from their date, and shall bear interest at a rate not greater than eight (8) per cent., payable semi-annually.

§ 14. That in case any county, city, or town shall subscribe to the capital stock of said Kentucky and Southern Railroad Company, under the provisions of this act, and issue bonds for the payment of such subscription, it shall be the duty of the county court of such county, the city council of such city, and the trustees of such town, to cause to be levied and collected a tax sufficient to pay the semi-annual interest on the bonds issued, and the cost of collecting such tax and paying the interest on all the real estate and personal property in said county, city, or town, subject to taxation under the revenue laws of the State, including the amounts owned by residents of such county, city, or town, which ought to be given in under the equalization laws.

§ 15. That on levying a tax, as provided for in this act, to pay the interest on bonds issued by the county court of any county, or of any city or town, it shall be the duty of the county court, city council, or town trustees making such tax, to appoint three (3) resident taxpayers of such county, city, or town, who shall be styled the board of commissioners of the sinking fund of such county, city, or town. The commissioners so appointed shall, before they proceed to discharge their duties, be sworn, in the presence of the court, council, or trustees appointing them, faithfully to discharge their duties according to the best of their skill and judgment; they shall hold their office at the pleasure of the court, council, or trustees by whom they are appointed; they shall immediately appoint one of their number treasurer, who shall execute bond, payable to the Commonwealth, with such security as shall be approved by the court, council, or trustees appointing the commissioners, conditioned for the faithful keeping and disbursing of all money coming to his hands as treasurer of such board; on which bond suit may be brought, from time to time, by and in the name of such county, city, or town, or by any other person injured by any breach of his bond, in any court having jurisdiction of the sum claimed in such suit. Such treasurer may be required at any time to give new bond, and any suit in such bond shall be entitled to the same remedies for procuring additional or counter security as are now given to the sureties of guardians, administrators, &c. Said treasurer shall be allowed for his services such compensation, not exceeding one per cent. on the money received and paid out by him, as may be allowed by the court, council,

or trustees appointing such commissioners respectively. In case a vacancy shall occur in said board of commissioners, such vacancy shall be filled by the court, council, or trustees by whom such board was appointed.

§ 16. The taxes levied under the authority of this act in any county shall be collected by the sheriff of such county, and taxes levied in any city or town shall be collected by the officer of such city or town, who is by law the collector of taxes levied for the ordinary purposes of such city or town; but before any sheriff or other officer shall be authorized to collect any such tax, he shall execute bond, if a sheriff, with such sureties as may be approved by the county court, and if a city or town officer, with such sureties as may be approved by the council or trustees of such city or town, conditioned that such officer will promptly and faithfully collect and pay over to the proper person, within the time prescribed by law, all taxes levied under this act which may be placed in his hands for collection.

§ 17. That sheriffs and other officers having in their hands for collection taxes levied under this act shall have all the powers of distraining and selling personal property which sheriffs have in the collection of the State revenue; and when such officer shall be unable to find personal property liable to sale for the unpaid tax of any individual, he may levy the same on any real estate of such person situated in the county, and sell the same under the regulations prescribed by law for selling real estate under execution; and all taxes levied under this act shall be a lien on the real estate of the person taxed which shall lie in the county in which such tax is levied; but the owner of any real estate sold may redeem the same, at any time within five (5) years after such sale, by paying the purchase-money, and ten (10) per cent. per annum thereon, with all taxes of every description paid by the purchaser after his purchase, and ten (10) per cent. per annum thereon.

§ 18. That sheriffs or other officers selling real estate for taxes levied under this act shall give to the purchaser a certificate of his purchase, which shall describe the real estate sold, and state the amount for which it was sold, and the date of sale; which certificate shall be lodged by the purchaser with the clerk of the county court within sixty days, who shall record the same in a book to be kept for the purpose, and for which such clerk shall be entitled to charge a fee of fifty (50) cents; and if such certificate is not recorded as herein provided, the land may be redeemed, at any time within fifteen (15) years, on paying the purchase money and six (6) per cent. per annum thereon. That sheriffs and other officers collecting taxes levied under this act shall receive the same compensation as is allowed by law, for the time being, for collecting the State revenue.

§ 19. That one half of the tax levied in any one year shall be collected by the sheriff or other officer, in whose hands the same is placed for collection, and paid over to the treasurer of the board of commissioners of the sinking fund within one hundred and twenty (120) days after the same is placed in his hands, and the residue within six months after the first ought to have been paid; and if any sheriff or other officer, whose duty it is to collect taxes under this act,

shall fail or refuse to execute bond, as required by this act, for thirty (30) days after the tax is levied, the court, city council, or board of trustees levying such tax may appoint a collector, who shall execute bond, with sureties, and have all the powers, and be subject to all the duties and liabilities of sheriffs and other officers in collecting taxes under this act; that if any sheriff or collector, or other officer, having in his hands for collection taxes levied under this act, shall fail to collect and pay over the same within the time prescribed, such sheriff, collector, or other officer shall, with his sureties, be liable for the amount not paid as required, and ten (10) per cent. thereon, to be recovered on motion, on ten days' notice, in any court having jurisdiction; and any execution issued on such judgment shall not be replevied, and shall be indorsed by the clerk issuing the same that no security of any kind is to be taken.

§ 20. It shall be the duty of the commissioners of the sinking fund to see that the sheriff or other officer collects and pays over taxes placed in their hands according to law, and to institute legal proceeding against them on their failure to do so. They shall appropriate such moneys, when collected, to the payment of the interest on the bonds of their county, city, or town.

§ 21. They shall, whenever a dividend is declared by said Kentucky and Southern Railroad Company, cause their treasurer to receive the same, and pay the interest on their bonds out of it; and when a surplus shall remain after paying the interest due, they shall apply such surplus to the purchase of their bonds, if they can be purchased at par, or less than par; and if they cannot be purchased at par, they shall invest such surplus in some safe and profitable manner, and in such way that the money may be readily realized when needed to buy or pay off bonds.

§ 22. That all dividends which shall be received upon the stock held and owned by any county, city, or town, under this act, shall be, and are hereby, set apart, to be held sacred as a sinking fund, to be only used as provided in this act, for the payment of the principal and interest of the bonds issued under the authority of this act.

§ 23. That in case the dividends upon the stock held and owned under this act by any county, city, or town, and for which bonds shall have been issued, shall not be sufficient to enable such county, city, or town to pay its bonds at maturity, it shall be the duty of the commissioners of the sinking fund to report such fact to the county court, city council, or town trustees, at least five (5) years before the maturity of said bonds; and if any county court, city council, or the trustees of any town owing such bonds, shall deem it proper to do so, they may issue new bonds, having not more than twenty years to run, payable at such place as may be designated on the face of such bonds, bearing the same interest, and secured in all respects as the bonds just issued are secured, and sell such bonds or exchange them for the old ones: *Provided, however*, That if any county court, city council, or town trustees, shall deem it inexpedient to issue and sell such new bonds, or shall be unable to raise money necessary to pay

off its bonds at maturity by a sale of new bonds, it shall be the duty of such county court, city council, or town trustees to cause a tax to be levied and collected on all the property in such county, city, or town, which, by the provisions of this act, is subject to taxation, to pay interest sufficient, when added to any sum raised by sale of new bonds, to discharge the old bonds at maturity: *Provided, also*, That any tax levied under the provisions of this section shall be collected by the same officers, under the same powers, and subject to the same responsibilities in every respect, as provided in the act in relation to the collection of taxes levied to pay interest.

§ 24. That in case a direct tax shall be levied to pay all or any part of the bonds of any county, city, or town, issued under this act, at or before maturity, it shall be the duty of the commissioners of the sinking fund to cause to be transferred to the tax-payers or their assignees, stock held by said county, city, or town, to the amount of the tax paid, upon the delivery to said commissioners of tax receipts by the holders thereof; such receipts shall be negotiable by indorsement, and no stock shall be transferred for a less amount than — dollars.

§ 25. That it shall be the duty of the treasurer of the several boards of commissioners of the sinking fund, appointed under this act, upon the surrender to them, at their respective offices, of receipts given for taxes paid to defray the interest on the bonds of their respective counties, cities, and towns, prior to the time of declaring the first cash dividend by said railroad company to the amount of fifty dollars or more, to issue to the holders thereof certificates, setting forth the number of shares of stock to which the holder is entitled, and to give a separate receipt for any fractional part of a share, which receipt shall be negotiable by indorsement, and may be added to other like receipts, or tax receipts, to make up a full share. The treasurer shall write or stamp the word canceled across the face of each tax receipt taken up by him, and file it away in his office, and he may charge and collect fifty cents per share for each certificate issued by him. He shall keep a list of the names of those to whom he issues certificates, with the number of the certificate, and the number of shares for which each was given, and shall, on the last day of each month, make out and forward to the secretary of the company a copy of the list of certificates issued during that month.

§ 26. That it shall be the duty of the said Kentucky and Southern Railroad Company, after the first cash dividend shall be declared, on presentation at its office of the stock certificates issued under the provisions of the last preceding section, to issue stock therefor to those to whom such certificates were issued, or their representatives or assigns.

§ 27. That the commissioners of the sinking fund shall keep an exact record of all their actings and doings as such, and their treasurer shall keep a strict account of all moneys received or paid out by him, and shall settle his accounts annually, or oftener if required, which settlement shall state fully his accounts since his last settlement.

§ 28. That all the real estate lying in any county, city, or town, issuing bonds under this act, shall be taxed for the purpose of defraying the interest on such bonds, and for the payment of the principal, if that shall be paid by taxation; and when a part only of the land of any tax-payer shall lie in such county, city, or town, the assessor of tax shall designate in his books what part lies within such county, city, or town, and its value, and only such part shall be assessed for the purposes of this act.

§ 29. That the commissioners of the sinking fund, or one of them, shall cast the vote to which their respective counties, cities, and towns may be entitled in any meeting of the stockholders of said Kentucky and Southern Railroad Company: *Provided*, That if neither of them attend, then any person duly authorized by any two of said commissioners may cast the vote as proxy for said commissioners

§ 30. That the president and directors of said Kentucky and Southern Railroad Company may, if it shall seem advisable to them, increase the capital stock of said company to a sum equal to the total cost of the road and its equipments, depots, water stations, &c.

§ 31. That said company may acquire a right of way sixty-six (66)) feet wide; but this shall not be construed as a limitation on the right to acquire any width that may be shown to be necessary by the affidavit of an engineer, filed with the justice at the time of suing out the warrant for condemning such lands.

§ 32. That the said Kentucky and Southern Railroad Company shall be exempt from taxation until completed, and that it shall never be taxed at a valuation beyond the rate at which said roads are now taxed, nor exceeding its actual value.

§ 33. That the president and directors of said company may, with the assent of the holders of a majority in value of the stock of said company, purchase and hold any other railroad in this or in any other State, and may subscribe stock in, or guarantee the bonds of, or aid in the building of, any other road, in or out of this State, whenever, in their judgment, it may be to the interest of the said Kentucky and Southern Railroad Company to do so; they may sell the said railroad, or lease the same, and may build branches from said road, and branches from such branches.

§ 34. That said Kentucky and Southern Railroad Company may receive donations of land, to be used for any of the purposes of said road, or to be sold to raise money to build the same, and may receive subscription, to be paid in land at a valuation to be fixed by such means as may be agreed upon between said company or its authorized agents and the subscribers, and may lease or sell and convey any land so given or subscribed.

§ 35. That said railroad company may, the holders of a majority in value of all the stock therein concurring, agree on terms for consolidating said company with any other railroad company, on such terms as may be agreed upon; but no such consolidation shall in anywise affect the holder of mortgage bonds issued by said Kentucky and Southern Railroad Company.

§ 36 That the Kentucky and Southern Railroad Company may issue and sell the bonds of said company of the denomination of one

thousand dollars, said bonds to be signed by the president, and countersigned by the secretary, with the seal of the corporation affixed, to an amount not exceeding three millions of dollars, bearing not exceeding eight (8) per cent. interest per annum, payably semi-annually, with coupons attached, signed by the secretary of the company, to be made payable as said company may direct, within thirty years from its date.

§ 37. To secure the prompt payment of the interest and principal of bonds issued by authority of this act, said company may execute a mortgage or deed of trust conveying said railroad and its property and franchises to a trustee or trustees, and from time to time fill vacancies that may occur, for the use, and to secure the holders of such bonds, with such covenant and stipulations as may be necessary to effect the purpose and objects of its execution.

§ 38. That if the mortgage or deed of trust authorized by the last preceding section shall be foreclosed by legal proceedings, such foreclosure shall be for the benefit of all the holders of bonds secured by its provisions; upon such foreclosure the president shall make a correct list of all bonds secured by such mortgage or deed of trust which have been sold, and verify it by his affidavits, which affidavit and list shall be filed in ———— circuit court, where only such proceedings is authorized to be had; such foreclosure shall not take place until ninety days after publication of notice of the commencement of proceedings to that end shall have been made in one or more newspapers published in the cities of ———— and ————. The persons or corporations becoming the purchaser or lessee of said road, by reason of any sale or leasings to satisfy the demands of bond-holders, shall be vested with all the rights, privileges, franchises, and immunities of the corporation.

§ 39. That to create and secure a fund for the final redemption of the mortgage bonds, issued under authority of this act, a sinking fund shall be created by said company; and in order to create such sinking fund, said company shall, at the time of declaring the first cash dividend, ascertain what sum ought to be set aside, annually, in order to create a fund sufficient to redeem its bonds at maturity, and set apart and pass into the sinking fund that sum; and thereafter, annually, there shall be set aside and pass into said fund a like sum, until a fund is created sufficient to pay the outstanding bonds of the company; which fund shall be held sacred for the redemption of said bonds, and shall be used for no other purpose; that the company may loan and reloan the sum thus set apart at any rate of interest not greater than that paid on its bonds, or may invest the sum in any safe and profitable manner deemed advisable, which is not inconsistent with the purpose and object of creating said fund: *Provided*, That said company may use any or all of said funds in retiring its bonds before maturity, if deemed advisable; but no bond purchased with the proceeds of the sinking fund shall be resold, but the sum shall be canceled.

§ 40. The bonds of the company nor the bonds of the counties, cities, or towns, issued under authority of this act, whether sold and delivered in this State or elsewhere, shall not be avoided, in whole or

in part, by reason of the rate of interest agreed to be paid, or of the place at which they may be sold or delivered, nor by reason of their having been sold at less than their par value.

§ 41. That upon application by said company to the county court of any county, into or through which it is proposed to construct said Kentucky and Southern Railroad, such court shall appoint three (3) commissioners, two of whom shall be residents of said county, and one an engineer of said company, who shall be sworn faithfully to discharge their duties under this act to the best of their skill and judgments.

§ 42. And whenever said company shall be unable to agree with the owner of any land, earth, stone, gravel, timber, or other materials or things required for the site or construction of said road, or whenever the land or material required shall be owned by any persons not residents of said county, or who is a *feme covert*, infant, or *non compos mentis*, it shall be the duty of said commissioners to view the land or material required, and fix the amount of compensation to which the owner or owners of such land or material shall be entitled, and make out and return to the office of the clerk of the county court a report, in writing, particularly describing the land or other material valued, and the interest and duration of the interest valued, and the amount of damages assessed. The report of the commissioners shall give the name of the owner, and state whether such owner is a resident of the county, and whether a *feme covert*, infant, or non-sane person. The clerk shall receive such reports and file the same, indorsing thereon the time of its being filed; and if the owner resides in the county, he shall forthwith issue a summons commanding the owner or owners of such land to appear and show cause why the report should not be confirmed; which summons shall be forthwith executed by the sheriff or other officers in whose hands it may be placed. This report shall be docketed in the county court, and stand for trial at any time of said court, commencing not less than ten (10) days after service of the summons. If the owner is not a resident of the county, the court shall, at the first term after the report is filed, appoint an attorney to defend for such owner, who may file exceptions at any time, not later than the next term; and upon exceptions being filed by the owner, or by an attorney appointed to defend for him, or by the company, the court shall forthwith order a jury to be empanneled to try the question of damages, unless for good cause shown time is given for preparation.

§ 43. If no exceptions are filed, the report shall be confirmed. The jury and commissioners shall, in estimating the damages to any proprietor of land or material sought to be condemned for said road, be governed by the same rule as prescribed in section thirteen of an act incorporating the Elizabethtown and Paducah Railroad Company, approved March 5th, 1867; and the mode of valuation provided for herein shall have the same effect, and confer upon the company all the rights and privileges which would be conferred, if the proceeding had been had in accordance with the provisions of the original charter of said Elizabethtown and Paducah Railroad Company; and whenever a verdict shall be had, the court may give judgment con-

demning such land or material for the use of said company, and against the company for the amount of damages assessed, and also to the owner for his costs, if the verdict shall be for more than was assessed by the commissioners.

§ 44. The mayor and council or general council of any city, and the board of directors of any railroad company, may, on behalf of their city or company, guarantee the payments of the principal and interest of the bonds of the said Kentucky and Southern Railroad Company, and any railroad company or other corporation may subscribe to the capital stock of the said Kentucky and Southern Railroad Company.

§ 45. That the construction of this road shall be commenced within two years, and be completed within five years from the passage of this act.

§ 46. All acts and parts of acts inconsistent with the rights and privileges conferred by this act are hereby repealed.

§ 47. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Turner, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Lyttleton Cooke,	A. G. Talbott,
R. A. Burton,	J. H. Dorman,	W. L. Vories,
J. Q. Chenoweth,	J. B. Hayden,	Ben. J. Webb,
John B. Clark,	John W. Johnson,	Emery Whitaker,
Wm. L. Conklin,	W. H. Payne,	Thos. Wrightson—16.
G. W. Connor,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	Oscar Turner—5.
A. K. Bradley,	William Johnson,	

Resolved, That the title of said bill be as aforesaid.

Mr. Cooke, from the Committee on Railroads, reported a bill, entitled

A bill to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company,

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby created a body politic and corporate, under the name and style of the Bowling Green, Glasgow, and

Greensburg Railroad Company, and it shall have all the rights, privileges, and franchises as set forth in the act of this Legislature, entitled "An act to incorporate the Cincinnati, Glasgow, and Bowling Green Railroad Company," approved March 21st, 1870; which said act is hereby adopted as the charter for the corporation herein created, as far as the same is applicable hereto, and it shall govern and regulate all proceedings of said company hereby created.

§ 2. That James T. Donaldson, John Burnam, John C. Underwood, H. H. Skiles, H. T. Clark, George W. Wright, James W. Gorin, D. W. Wright, W. L. Dulaney, and T. H. Hines, of Warren county; and Samuel Brent, Milburn Bybee, S. M. Dickey, W. H. Botts, S. H. Bowls, James Shirley, Jos. R. Garnett, James Bowls, W. R. Redding, T. C. Dickinson, of Barren county; and B. W. Penick, J. J. Durham, D. T. Towles, E. H. Hobson, D. Hudson, W. H. Chelf, Burr Hazell, Jefferson Henry, Moses Blakeman, and W. H. Edwards, of Green county, or such of them as may choose to act, are hereby constituted commissioners to open books and receive subscriptions to the capital stock of said Bowling Green, Glasgow, and Greensburg Railroad Company, at such times and places, and upon such terms and conditions, as they may deem proper.

§ 3. The capital stock of said company may be any amount, not exceeding $2,000,000, necessary for the construction and equipment of said railway, and shall be divided into shares of $100 each.

§ 4. The location of said road shall be from Greensburg, by way of Glasgow, to Bowling Green, on the most practicable route.

§ 5. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Turner, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	G. W. Connor,	A. G. Talbott,
R. A. Burton,	Lyttleton Cooke,	W. L. Vories,
J. Q. Chenoweth,	J. B. Hayden,	Ben. J. Webb,
John B. Clarke,	John W. Johnson,	Emery Whitaker—14.
Wm. L. Conklin,	W. H. Payne,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	Oscar Turner,
J. H. Dorman,	William Johnson,	Thos. Wrightson—6.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill concerning the Adjutant General.

On motion of Mr. Chenoweth,

Ordered, That said bill be made the special order of the day for Tuesday next.

And then the Senate adjourned.

MONDAY, MARCH 13, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

An act to amend an act repealing in part the act declaring the Rolling Fork of Salt river a navigable stream.

That they had concurred in the adoption of a resolution from the Senate, entitled

Resolution in relation to a final adjournment of the present General Assembly,

With an amendment thereto.

That they had passed bills which originated in the Senate, of the following titles, viz:

An act to vest the trustees of Cave City with additional powers.

An act to authorize and empower the county court of McLean county to levy an additional tax, and to issue county bonds to build a new court-house and new jail, and for other purposes.

An act for the benefit of Johnson county.

An act to authorize the sale of the poor-house property in Boyle county, and to reinvest the proceeds in a more suitable place in said county.

An act to authorize the county court of Taylor county to sell a part of the court-house lot in Campbellsville for certain purposes.

An act for the benefit of S. S. McFatridge, late sheriff of Mercer county.

An act to prohibit the sale of intoxicating liquors in Sonora, in Hardin county.

An act to authorize the county court of Butler county to issue bonds to raise the necessary funds to build a court-house.

An act concerning the advertisement of sheriffs and commissioners' sales of land in Bath county.

An act to change the time of holding the quarterly and county courts in the county of Green.

An act for the benefit of the Mercer county court.

An act for the benefit of George Mantle, of Blandville.

An act to amend the road law of Henderson, Union, Taylor, and Grayson counties.

An act to change the time of holding the Warren quarterly court.

An act authorizing the county court judge of Madison county to grant a license to Richard Lamb to retail ardent spirits.

An act to authorize the Union county court to appoint a sheriff for said county.

An act amending an act, entitled "An act to amend an act incorporating the Bardstown and Bloomfield Turnpike Road Company."

An act incorporating the Bloomfield and Bardstown Turnpike Road Company.

An act incorporating the Bardstown and Shepherdsville Turnpike Road Company.

An act for the benefit of turnpike roads in Bath county.

An act for the benefit of Wm. E. Clelland, sheriff of Mercer county.

An act to authorize the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a branch of the Louisville and Nashville Railroad from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky.

An act for the benefit of A. C. Cox, late sheriff of Green county.

An act to authorize and provide for the erection of a new court-house and clerks' offices in Fayette county.

With amendments to the last two named bills.

Which bills, with the amendments, were referred to the Committee on Finance.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to revise, digest, and compile the statute laws and Codes of Practice of Kentucky.

An act to establish a public school for colored children in the city of Henderson.

An act to establish a graded school at St. James, late Shelby College, in Shelbyville.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of Cloverport and Lower Cloverport into the town of Cloverport,'" approved March 5th, 1868.

An act to amend an act, entitled "An act to amend an act to incorporate the Kentucky Mining, Lumber, and Manufacturing Company.'

An act for the benefit of Granville Evans, of Wolfe county.

An act to amend first section of an act, entitled "An act to amend the charter of the Washington County Agricultural Society," approved February 20, 1868.

An act authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.

An act to increase the jurisdiction of the mayor of the city of Dayton, in Campbell county.

That they had passed bills of the following titles, viz:

1. An act authorizing the county court of the county of Muhlenburg to release James C. Moorman from his bond, whereby a negro girl, Caroline, was apprenticed to him.

2. An act to authorize the Pendleton county court to borrow money for certain purposes.

3. An act to legalize certain acts of the Pendleton county court.

4. An act for the benefit of John E. Walton, of Boone county.

5. An act for the benefit of Nelson Whitaker, of Mason county.

6. An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes," approved February 16, 1858.

7. An act to amend the charter of the Richmond and Big Hill Turnpike Road Company.

8. An act for the benefit of Wm. D. Dye, of Lincoln county.

9. An act for the benefit of M. H. Bronaugh, of Christian county.

10. An act for the benefit of N. B. Campbell, of Josh Bell county.

11. An act for the benefit of John M. Fish, of Rockcastle county.

12. An act to extend the corporate limits of the town of Hazelgreen, in Wolfe county.

13. An act to appropriate money to the Western Lunatic Asylum.

14. An act authorizing the county court of Spencer county to levy a tax in aid of turnpikes.

15. An act to regulate the selling of vinous, malt, or other intoxicating liquors within Elk creek precinct, in Spencer county.

16. An act for the benefit of A. C. Kincheloe, of Spencer county.

17. An act authorizing Washington county court to levy an *ad valorem* tax of not exceeding twenty cents on the one hundred dollars to pay the indebtedness of the county on account of turnpike roads.

18. An act to establish an additional voting precinct in Washington county.

19. An act for the benefit of Washington county.

20. An act granting C. V. Pierce, of Daviess county, coffee-house privileges.

21. An act increasing the common law jurisdiction of the police court of the town of Uniontown, in Union county.

22. An act for the benefit of James Faircloth, of Mercer county.

23. An act to amend an act, entitled "An act for the benefit of the county of Morgan," approved January 17, 1867.

24. An act appointing commissioners to settle with the county judges of the counties of Knox and Josh Bell, in relation to the tolls received by them from gate-keepers on the Wilderness Turnpike Road.

25. An act to change the boundary of Benson precinct, in Franklin county.

26. An act to authorize the trustees of the town of Cloverport to sell and convey parts of certain streets.

27. An act to authorize the county court of Scott county to increase its subscriptions to turnpike roads.

28. An act authorizing the judge of the Spencer county court to appoint trustees for the town of Taylorsville, when vacancies occur.

29. An act for the benefit of the levy court of Henry county.

30. An act to provide for the collection of railroad tax in Montgomery county.

31. An act to authorize Thos. B. McGowan, jailer of Fayette county, to appoint a deputy jailer.

32. An act authorizing the county court of Washington county to construct a bridge across the Little Beech in said county, and to provide for the payment of same.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 17th, 19th, 22d, 23d, 24th, and 28th to the Committee on Courts of Justice; the 4th, 5th, 8th, 9th, 10th, 11th, 13th, 16th, 29th, and 30th to the Committee on Finance; the 6th, 21st, 26th, and 31st to the Committee on Revised Statutes and Codes of Practice; the 7th, 14th, 27th, and 32d

to the Committee on Internal Improvement; the 12th to the Committee on Propositions and Grievances; the 15th and 20th to the Committee on Religion and Morals; and the 18th and 25th to the Committee on Privileges and Elections.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act authorizing the county courts of Christian and Allen counties to establish additional voting places in said counties.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

An act to incorporate the town of Frenchburg, in Menifee county.

By same—

An act to incorporate the town of Spottsville, in Henderson county.

By same—

An act to amend and reduce into one all the acts concerning the town of Edmonton.

By same—

An act to incorporate the town of Calvert City, in Marshall county.

By same—

An act to incorporate the town of Flat Rock, in Bourbon county..

By same—

An act to incorporate the town of Knowlesburg, in Morgan county.

By Mr. Bradley, from same committee—

An act to incorporate the town of Martinsburg, in Elliott county.

By same—

An act to extend and enlarge the corporate limits of the town of South Carrollton, in Muhlenburg county.

By same—

An act authorizing the county courts of Christian and Allen counties to establish additional voting places in said counties.

By Mr. Chelf, from same committee—

An act to amend the charter of the town of Mayfield.

By same—

An act to incorporate the town of Mount Olivet, Robertson county.

By same—

An act to incorporate the town of Tollsboro.

By same—

An act to amend 2d section of an act, entitled "An act to amend the charter of the town of Springfield."

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to incorporate the Widows' and Orphans' Cemetery Company of Crab Orchard Lodge, No. 108, I. O. O. F.

By same—

An act to incorporate the Methodist Episcopal Church, South, Widows' and Orphans' Home.

By Mr. Bradley, from the Committee on Propositions and Grievances—

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

With an amendment to the last named bill, which was adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chelf, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Robert Gibbs,

Reported the same without amendment.

Ordered, That said bill be made the special order for to-morrow.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to attach the county of Martin to the 16th judicial district.

An act to repeal an act, entitled "An act to re-enact an act, entitled 'An act regulating the time of holding the circuit courts,'" approved March 5, 1856, approved February 25, 1870;

An act to provide for the erection of a new warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion;

An act to amend an act, entitled "An act to incorporate the Savings and Deposit Bank in Elkton, Todd county;

An act to amend the charter of the Warren Deposit Bank;

An act to change the time of holding the circuit courts of Pulaski county, in the 8th judicial district;

An act to amend an act, entitled "An act to amend the charter of the town of Danville," approved February 17, 1871;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act exempting salt wagons from payment of toll on the Wilderness Turnpike Road, in the counties of Knox and Josh Bell;

An act to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23d, 1861;

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky;"

An act to protect bridges over Licking river, in Pendleton county;

An act to organize and establish a system of public schools in the city of Owensboro for white children in said city;

An act to incorporate the Glasgow, Edmonton, and Burksville Turnpike Road Company;

An act to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16th, 1870;

An act for the benefit of George Roberson, of Casey county;

An act to incorporate the Maux Branch Turnpike Road Company;

An act to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centerville and Jacksonville Turnpike Road, as are now without gates;

An act for the benefit of James F. Carson, of Rockcastle county;

An act for the better organization of public schools in the city of Lexington;

An act for the benefit of common school district No. 26 (Carlisle district), in Nicholas county;

An act to allow the county court of Marshall county to purchase Stanton's Treatise;

An act to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes," approved March 11th, 1867, approved 3d February, 1870;

An act for the benefit of common school districts in Clinton county;

An act for the benefit of school district No. 6, in Robertson county;

An act for the benefit of Mrs. Russell Kavanaugh, widow of the late Judge G. W. Kavanaugh;

An act for the benefit of the sureties of Young E. Hurt, late sheriff of Adair county;

An act for the benefit of E. M. Flack, sheriff of Todd county;

An act for the benefit of Barren county;

An act to authorize Garred Ratliff to erect a boom across Rockcastle creek, in Lawrence county;

An act to amend an act, entitled "An act for the improvement of the Big Sandy river," approved February 10, 1870;

An act to require turnpike road companies in Lewis county to make annual settlements with the county judge;

An act declaring Grassy creek, in Morgan county, a navigable stream;

An act to amend the charter of the Board of Education of the Louisville Annual Conference of the Methodist Episcopal Church, South, approved January 25, 1867;

An act to incorporate the Frenchburg and Jeffersonville Turnpike Road Company;

An act authorizing the county court of Christian and Allen counties to establish additional voting places in said counties;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Conklin, from a select committee--

1. A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

By Mr. John W. Johnson, from the Committee on Religion and Morals--

2. A bill to incorporate the Green River Synod of the Cumberland Presbyterian Church in Kentucky.

By same—

3. A bill to prevent the sale of intoxicating liquors in Ohio county to be used as a beverage in said county.

By Mr. Lyttle, from the Committee on Privileges and Elections—

4. A bill to amend article 17, chapter 28, of the Revised Statutes, protecting ministers of the Gospel and other persons going to and returning from places of public divine worship.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed, and made the special order of the day for Wednesday next, and the 2d, 3d, and 4th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 13, 1871.

Gentlemen of the Senate and House of Representatives:

I deem it my duty to call your attention, before your final adjournment, to the propriety and importance of passing a law providing for the selection or appointment of special judges of the Court of Appeals, to sit and act as such in case of the sickness and inability of the regular judge to act.

The business of the court is heavy and accumulating, and it is due to the people that such provision should be made as to secure its attention. Two of the judges are now, and have been for a month,

prostrated under afflictions, rendering it impossible for them, in justice to themselves, to hold court, and there being no provision of law by which their places could be filled, the court stands suspended. We can't tell how long this will continue to be the case, or how often it may occur. It is important that the business of the court shall go on, and I recommend that you provide for it.

Very respectfully,

P. H. LESLIE.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Commercial Bank of Kentucky and Farmers' Bank of Kentucky.

An act to amend an act, entitled "An act to provide for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life insurance companies," approved March 12th, 1870.

An act to amend the charter of the Owenton and Clay Lick Turnpike Road Company.

An act declaring a portion of Round Stone creek, in Rockcastle county, navigable.

An act authorizing certain voters of Nelson county to vote a tax to aid in the construction of the Chaplain and Anderson Turnpike Road and the Ash Creek Turnpike Road.

An act to incorporate the Eminence and Sulphur Fork Turnpike Road Company.

An act to incorporate Abbott's Landing and Big Twin Creek Turnpike Road Company.

An act for the benefit of the Cynthiana and Ashbrook's Mill Turnpike Road Company, in Harrison county.

An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company.

An act to amend the charter of the Danville and Pleasant Hill Turnpike Road Company.

Mr. J. W. Johnson, from the Committee on Religion and Morals, to whom was recommitted, with proposed amendments, a bill, which originated in the House of Representatives, entitled

An act to amend an act to regulate the sale of spirituous liquors to minors,

Reported the same with an amendment as a substitute therefor.

Mr. Spalding moved to amend said amendment.

On motion of Mr. Standeford,

Ordered, That the further consideration of said bill and amendments be postponed until Wednesday next, and that they be printed.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Barren River Lock and Dam Company.

Ordered, That the further consideration thereof be postponed until Wednesday next.

The Senate took up for consideration a bill, entitled

A bill to establish the county of Adams.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chelf, from the Committee on the Revised Statutes and Codes of Practice, to whom was referred an amendment proposed by the House of Representatives, to a bill from the Senate, entitled

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes," approved February 16, 1858,

Reported that said amendment should be concurred in, with an amendment.

The question being taken on the adoption of the amendment proposed by the committee to the amendment adopted by the House of Representatives, it was decided in the affirmative.

The question was then taken on concurring in the amendment of the House of Representatives, as amended, and it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the Committee on Revised Statutes and Codes of Practice, to whom they were referred, with the expression of opinion respectively that they ought not to pass, viz:

An act increasing the common law jurisdiction of the police court of Caseyville, in Union county.

An act increasing the common law jurisdiction of the police court of the town of Uniontown, in Union county.

The question being severally taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Conklin, from the Committee on Finance, reported a bill, entitled

A bill to fix the per diem of Sergeants-at-Arms, Door-keepers, and Clerks of Enrolling Committees of the Senate and House of Representatives.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the per diem of the Sergeants-at-Arms, the Door-keepers, and the Clerks of the Enrolling Committees of the Senate and House of Representatives, shall be each dollars per day, and no more.

Mr. Bradley moved to amend said bill by striking out the words, "and the Clerks of Enrolling Committees."

Which was adopted.

Mr. Johnson then moved to amend said bill by adding, as a second section, the following, viz:

That the pay of Clerks of the Enrolling Committees of the Senate and House of Representatives shall be each dollars per day, and no more.

Which was adopted.

Mr. Alexander moved that the blank in the first section be filled with "eight."

Mr. Conklin moved to insert "five."

The question being first taken on inserting "eight," it was decided in the negative.

The yeas and nays being required thereon by Messrs. Conklin and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	D. Y. Lyttle,	Lewis Perrin,
Jos. M. Alexander,	A. L. McAfee,	Emery Whitaker—7.
W. McKee Fox,		

Those who voted in the negative, were—

F. M. Allison,	G. W. Connor,	I. A. Spalding,
Robert Boyd,	J. H. Dorman,	E. D. Standeford,
A. K. Bradley,	Edwin Hawes,	A. G. Talbott,
R. A. Burton,	J. B. Hayden,	Oscar Turner,
W. H. Chelf,	William Johnson,	W. L. Vories,
John B. Clarke,	John W. Johnson,	Ben. J. Webb—19.
Wm. L. Conklin,		

Mr. J. W. Johnson then moved that said blank be filled with "six."

The question being first taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hayden and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	Lewis Perrin,
Jos. M. Alexander,	W. McKee Fox,	E. D. Standeford,
F. M. Allison,	John W. Johnson,	W. L. Vories,
W. H. Chelf,	D. Y. Lyttle,	Ben. J. Webb—14.
G. W. Connor,	A. L. McAfee,	

Those who voted in the negative, were—

Robert Boyd,	Wm. L. Conklin,	I. A. Spalding,
A. K. Bradley,	Edwin Hawes,	A. G. Talbott,
R. A. Burton,	J. B. Hayden,	Oscar Turner—11.
John B. Clarke,	Wm. Johnson,	

Mr. Alexander moved that the blank in the second section be filled with "eight."

Mr. Conklin moved to insert "six."

Mr. Allison moved to insert "seven."

Mr. Boyd moved that "five" be inserted.

Mr. Fox moved to fill the blank with "ten."

The question being first taken on inserting "ten," it was decided in the negative.

The question being then taken on inserting "eight," it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	Lewis Perrin,
Jos. M. Alexander,	Wm. Johnson,	E. D. Standeford,
R. A. Burton,	John W. Johnson,	A. G. Talbott,
John B. Clarke,	D. Y. Lyttle,	Emery Whitaker—14.
W. McKee Fox,	A. L. McAfee,	

Those who voted in the negative, were—

F. M. Allison,	Wm. L. Conklin,	I. A. Spalding,
Robert Boyd,	G. W. Connor,	Oscar Turner,
A. K. Bradley,	J. H. Dorman,	Ben. J. Webb—11.
W. H. Chelf,	J. B. Hayden,	

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were offered to be reported from the committees to whom same were referred, viz:

From the Committee on Revised Statutes and Codes of Practice—

An act to incorporate the trustees of the Baptist Church, in the town of Alexandria, in Campbell county.

An act to incorporate the United States Lithographic Stone Company, in Woodford county.

By the Committee on Religion and Morals—

An act to incorporate the Teutonia Brother Bund Society, of Louisville.

An act to incorporate the Kentucky Annual Conference of the Colored Methodist Episcopal Church in America.

An act to incorporate the Cumberland Presbyterian Church, of Mayfield.

An act to incorporate the First Baptist Church of Louisville.

An act to incorporate the Obion Presbytery of the Cumberland Presbyterian Church, in western Kentucky.

An act to incorporate the Germania Benevolent Society, of Louisville.

An act to incorporate the Glasgow Cemetery Company.

The Speaker announced, respectively, that under the rule of the Senate (No. 81), it was not in order to entertain said bills.

So said bills were not considered.

Leave was given to bring in bills of the following titles, viz:

On motion of Mr. J. W. Johnson—

1. A bill to regulate the rates of freight and passenger transportation on the Green and Barren river line of navigation.

On motion of Mr. Spalding—

2. A bill to exempt the property belonging to widows' homes and orphan asylums from taxation.

Ordered, That the Committee on Internal Improvement prepare and bring in the first, and the Committee on Finance the second.

And then the Senate adjourned

TUESDAY, MARCH 14, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence.

An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, in Garrard county.

An act to authorize the city of Dayton, in Campbell county, to establish common school system.

An act for the benefit of E. B. Treadway, former sheriff of Owsley county.

An act to incorporate the Odd Fellows' Hall Company in the town of Nicholasville

An act to prevent the sale of spirituous, vinous, or malt liquors in the county of Jackson.

An act for the benefit of Thomas Monarch, late tax collector of Daviess county.

That they had concurred in the amendment proposed by the Senate to an amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same.

That they had disagreed to the passage of bills, which originated in the Senate, of the following titles, viz:

An act to print sheriffs and master commissioners' advertisements of land sales in Carroll county, in paper printed in said county.

An act to amend the charter of the town of Flemingsburg.

That they had concurred in the adoption of a resolution from the Senate, entitled

Resolution to print report of engineers of Big Sandy river.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the incorporated banks of Kentucky.

An act for the benefit of Elijah C. Hurst, of Woodford county.

An act authorizing the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a branch of the Louisville and Nashville Railroad from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky.

An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.

With amendments to the last two named bills.

Which amendments were concurred in.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Stock-yard Company.

That they had passed bills of the following titles, viz :

1. An act for the benefit of the jailer of Jefferson county.

2. An act to amend an act, entitled "An act to amend section 4, article 7, chapter 32, of the Revised Statutes."

2. An act to amend the charter of the town of New Castle.

4. An act to regulate the sale of liquors in the town of Camner, Hart county, and within one mile thereof.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the Committee on the Judiciary; the 2d to the Committee on the Revised Statutes and Codes of Practice; and the 4th to the Committee on Religion and Morals.

A message was received from the House of Representatives, announcing that they adhered to their amendment, proposed to a bill from the Senate, entitled

An act for the benefit of John C. Broadhead.

The Senate took up for consideration the amendment proposed by the House of Representatives, to a resolution from the Senate, entitled

Resolution in relation to a final adjournment of the present General Assembly.

Which was twice read and concurred in.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 14, 1871.

Gentlemen of the Senate:

By the terms of the act, entitled "An act providing for the completion of the fire-proof offices in the city of Frankfort," approved 9th March, 1871, it is made the duty of the Governor to nominate for the advice and consent of the Senate two commissioners to assist in the supervision and execution of the work contemplated in said act. I have the honor of nominating for your advice and consent, as fit and proper men for that position, Ambrose W. Dudley and D. M. Bowen, of Franklin county.

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the erection of a new warehouse for the Kentucky Penitentiary, and to appropriate funds for its erection and completion.

An act to amend the charter of the Warren Deposit Bank.

An act to attach the county of Martin to the 16th judicial district.

An act to change the time of holding the circuit courts of Pulaski county, in the 8th judicial district.

An act to amend an act, entitled "An act to amend the charter of the town of Danville," approved February 17, 1871.

An act to repeal an act, entitled "An act to re-enact an act, entitled 'An act regulating the time of holding the circuit courts,'" approved March 5, 1856, approved February 25, 1870.

An act to incorporate the Woodford Railroad Company.

An act to amend an act, entitled "An act to incorporate the Savings and Deposit Bank in Elkton, Todd county."

An act to reduce into one, amend and digest, the acts and amendatory acts incorporating the city of Paris.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to vest the trustees of Cave City with additional powers;

An act for the benefit of Johnson county;

An act to authorize the sale of the poor-house property in Boyle county, and to reinvest the proceeds in a more suitable place in said county;

An act to authorize the county court of Taylor county to sell a part of the court-house lot in Campbellsville for certain purposes;

An act for the benefit of S. S. McFatridge, late sheriff of Mercer county;

An act to prohibit the sale of intoxicating liquors in Sonora, in Hardin county;

An act concerning the advertisement of sheriffs and commissioners' sales of land in Bath county;

An act to change the time of holding the quarterly and county courts in the county of Green;

An act for the benefit of the Mercer county court;

An act for the benefit of George Mantle, of Blandville;

An act to amend the road law of Henderson, Union, Taylor, and Grayson counties;

An act to change the time of holding the Warren quarterly court;

An act authorizing the county court judge of Madison county to grant a license to Richard H. Lamb to retail ardent spirits;

An act to authorize the Union county court to appoint a sheriff for said county;

An act amending an act, entitled "An act to amend an act incorporating the Bardstown and Bloomfield Turnpike Road Company;"

An act incorporating the Bloomfield and Bardstown Turnpike Road Company;

An act incorporating the Bardstown and Shepherdsville Turnpike Road Company;

An act for the benefit of turnpike roads in Bath county;

An act for the benefit of Wm. E. Clelland, sheriff of Mercer county;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 53 of the Revised Statutes, title "Interest and Usury;"

An act to amend an act repealing in part the act declaring the Rolling Fork of Salt river a navigable stream;

An act authorizing the trustees of the Silver Creek Academy to sell and convey the academy property, with power to reinvest the proceeds of the sale;

An act to incorporate the Mill Grove and Paint Lick Creek Turnpike Road Company, in Madison county;

An act to incorporate Dreaming Creek Turnpike Road Company, in Madison county;

An act to incorporate the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company;

An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company;

An act to amend and reduce into one the acts incorporating the town of Paintsville;

An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870;

An act for the benefit of school district No. 3, in Simpson county;

An act for the benefit of common school district No. 31, in Bullitt county;

An act for the benefit of common school district No. 19, in Montgomery county;

An act for the benefit of public schools and academies of Newport;

An act to incorporate the Caverna and Burksville Turnpike Road Company;

An act to provide compensation to the clerk of the Campbell circuit court for making cross-index to the suits and records thereof;

An act for the benefit of M. H. Johns, of Lawrence county;

An act to incorporate the DeMossville and Gardnersville Turnpike Road Company, in Pendleton county;

An act for the benfit of school district No. 22, in Madison county.

An act authorizing the county judge of Logan county to appropriate money to keep in repair the turnpike roads in Russellville district, in said county;

An act to incorporate the Iron Works Turnpike Road Company;

An act to incorporate the Big Eagle and Connersville Turnpike Company;

An act to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Company;

An act to amend an act, entitled "An act to amend the Concord and Tollsboro Turnpike Road Company;"

An act to amend an act, entitled "An act incorporating Sherburn Bridge Company," approved March 9, 1854;

An act to incorporate the Mount Eden and Camdenville Turnpike Road Company;

An act to incorporate the West Paris Bridge Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of the county judge of Carroll county.

Which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the judge of the quarterly court of Carroll county shall hereafter have jurisdiction in all actions for the recovery of money or personal property where the matter in controversy, exclusive of interest and cost, does not exceed three hundred dollars in value.

§ 2. This act shall take effect from its passage.

Mr. Perrin moved to amend said bill by striking out the word "county" after the word "Carroll," and inserting in lieu thereof the words "Harrison and Scott counties."

Mr. Alexander moved to lay said bill and proposed amendment on the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Clarke, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. Q. Chenoweth,	J. B. Hayden,
F. M. Allison,	John B. Clarke,	John W. Johnson,
A. K. Bradley,	Edwin Hawes,	Emery Whitaker—10.
W. H. Chelf,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	William Johnson,	Oscar Turner,
Robert Boyd,	W. H. Payne,	H. A. Tyler,
R. A. Burton,	Lewis Perrin,	A. C. Vallandingham,

Lyttleton Cooke,	I. A. Spalding,	W. L. Vories,
J. H. Dorman,	E. D. Standeford,	Ben. J. Webb,
W. McKee Fox,	A. G. Talbott,	Thos. Wrightson—18.

Mr. Wm. Johnson then moved to amend the amendment proposed by Mr. Perrin by adding before the word "Harrison" the words "Nelson, Spencer, Shelby, Fleming, Marion, Taylor, Washington, Daviess, and Hancock."

Mr. Chelf moved that the further consideration of said bill and amendments be postponed until the 1st of December next.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chelf and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	W. H. Chelf,	Edwin Hawes,
Robert Boyd,	J. Q. Chenoweth,	J. B. Hayden,
A. K. Bradley,	John B. Clarke,	Ben. J. Webb—9.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	John W. Johnson,	H. A. Tyler,
Jos. M. Alexander,	W. H. Payne,	A. C. Vallandingham,
R. A. Burton,	Lewis Perrin,	W. L. Vories,
Lyttleton Cooke,	I. A. Spalding,	Emery Whitaker,
J. H. Dorman,	E. D. Standeford,	Thos. Wrightson—17.
William Johnson,	A. G. Talbott,	

The question was then taken on the adoption of the amendment proposed by Mr. Wm. Johnson to Mr. Perrin's proposed amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vories and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	William Johnson,	Lewis Perrin—3.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	A. G. Talbott,
Jos. M. Alexander,	W. McKee Fox,	Oscar Turner,
F. M. Allison,	Edwin Hawes,	H. A. Tyler,
Robert Boyd,	J. B. Hayden,	A. C. Vallandingham,
A. K. Bradley,	John W. Johnson,	W. L. Vories,
W. H. Chelf,	W. H. Payne,	Ben. J. Webb,
J. Q. Chenoweth,	I. A. Spalding,	Emery Whitaker,
John B. Clarke,	E. D. Standeford,	Thos. Wrightson—25.
Lyttleton Cooke,		

The question was then taken on the adoption of the amendment proposed by Mr. Perrin, and it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. William Johnson and Alexander, were as follows, viz :

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	E. D. Standeford,	A. C. Vallandingham,
J. H. Dorman,	A. G. Talbott,	W. L. Vories,
W. H. Payne,	Oscar Turner,	Thos. Wrightson—10.
I. A. Spalding,		

Those who voted in the negative, were—

Jos. M. Alexander,	J. Q. Chenoweth,	John W. Johnson,
F. M. Allison,	John B. Clarke,	Lewis Perrin,
Robert Boyd,	W. McKee Fox,	H. A. Tyler,
A. K. Bradley,	Edwin Hawes,	Ben. J. Webb,
R. A. Burton,	J. B. Hayden,	Emery Whitaker—17.
W. H. Chelf,	Wm. Johnson,	

So said bill was disagreed to.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of Robert Gibbs.

Mr. Chenoweth moved amendments to said bill.

Which were adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Bradley, the message of the Governor, received and read on yesterday, relating to special judges of the Court of Appeals, was referred to the Committee on the Judiciary.

The Senate, according to order, took up for consideration a bill, entitled

A bill concerning the Adjutant General.

Which reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act approved March the 16th, 1869, continuing the office of Adjutant General, be, and the same is hereby, re-enacted.

§ 2. That the Adjutant General shall receive a salary of one thousand five hundred dollars ($1,500) for the year beginning February the 17th, 1871, to be paid monthly, as other salaries are paid. He shall also be allowed one thousand two hundred dollars ($1,200) for

clerk hire per year. The clerk hire allowed said Adjutant General may be drawn from the Treasury monthly, as other clerk hire is drawn; but there shall at no time be drawn more than is actually expended for such clerk hire, and for which purpose vouchers shall be shown and filed.

§ 3. This act to take effect from its passage, and to be in force until the 17th day of February, 1872.

Mr. Tyler offered the following amendment as a substitute for said bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the Adjutant General shall receive an annual salary of five hundred dollars.

§ 2. That all acts providing for payment of clerks in the office of the Adjutant General are hereby repealed.

§ 3. This act to be in force from its passage.

The question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	Oscar Turner,
F. M. Allison,	Edwin Hawes,	H. A. Tyler,
Robert Boyd,	J. B. Hayden,	W. L. Vories—10.
A. K. Bradley,		

Those who voted in the negative, were—

Jos. M. Alexander,	Lyttleton Cooke,	I. A. Spalding,
R. A. Burton,	J. H. Dorman,	E. D. Standeford,
W. H. Chelf,	William Johnson,	A. G. Talbott,
J. Q. Chenoweth,	John W. Johnson,	Ben. J. Webb,
John B. Clark,	A. L. McAfee,	Emery Whitaker—17.
G. W. Connor,	Lewis Perrin,	

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	I. A. Spalding,
Jos. M. Alexander,	J. H. Dorman,	E. D. Standeford,
R. A. Burton,	William Johnson,	A. C. Vallandingham,
W. H. Chelf,	John W. Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	A. L. McAfee,	Emery Whitaker,

John B. Clarke, W. H. Payne, Thos. Wrightson—20.
G. W. Connor, Lewis Perrin,

Those who voted in the negative, were—

F. M. Allison, Edwin Hawes, Oscar Turner,
Robert Boyd, J. B. Hayden, H. A. Tyler,
A. K. Bradley, A. G. Talbott, W. L. Vories—10.
W. McKee Fox,

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15th, 1870.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter any incorporated company, organized under the provisions of an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870, shall be, and is hereby, authorized and empowered to execute and sell or hypothecate its bonds, secured by mortgage or deed of trust upon its property and franchises, to an amount not exceeding the whole amount of its capital stock, payable at such times and places as such corporation may deem proper, and bearing interest at any rate not exceeding ten per cent. per annum, for the purpose of raising money to be used in prosecuting the business of such corporation, or in paying off and discharging its general indebtedness; but no such corporation shall have any power or authority to indorse or guarantee the bonds or other obligations of any other corporation or individual, or to loan its credit in any form to, or in aid of, any other corporation or individual, for any purpose whatever.

§ 2. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Hayden, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Holt), Lyttleton Cooke, Oscar Turner,
Robert Boyd, William Johnson, A. C. Vallandingham,
A. K. Bradley, John W. Johnson, W. L. Vories,
W. H. Chelf, W. H. Payne, Ben. J. Webb,
J. Q. Chenoweth, Lewis Perrin, Emery Whitaker,
John B. Clarke, I A. Spalding, Thos. Wrightson—20.
G. W. Connor, E. D. Standeford,

Those who voted in the negative, were—

J. H. Dorman, Edwin Hawes, J. B. Hayden—3.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Talbott, leave was given to bring in a bill, entitled

A bill concerning the sale of the State's stock in the various turnpike roads in this Commonwealth.

Ordered, That a select committee, consisting of Messrs. Talbott, McAfee, Burton, J. W. Johnson, and Hawes, be requested to prepare and bring in said bill.

And then the Senate adjourned.

WEDNESDAY, MARCH 15, 1871.

A message was received from the House of Representatives, announcing their concurrence in the amendment proposed by the Senate, to the amendments proposed by the House of Representatives, to a bill from the Senate, entitled

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes."

That they had concurred in the amendments proposed by the Senate, to bills from the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Midway.

An act to amend the charter of the town of Bowling Green.

An act to amend the charter of the town of Cromwell, in Ohio county.

An act to incorporate a steam ferry company at the mouth of the Ohio river, in Ballard county.

An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling.

That they had disagreed to the passage of bills from the Senate of the following titles, viz:

An act to amend an act, entitled "An act to amend the 3d section, 2d article, 32d chapter, of the Revised Statutes," approved February 16, 1858.

An act amending section 2, article 1, chapter 50, of the Revised Statutes.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Clay county.

An act concerning the poor-house farm of Clark county.

An act authorizing the county courts of Estill and Lee to permit persons to erect gates across the public road leading from Irvine to Beattyville.

An act to empower the county court of Lawrence county to levy an additional tax in said county, and for other purposes.

An act for the benefit of the clerk of the Breathitt county court.

An act to require the clerk of the Green county court to index and cross-index certain deed-books in Green county.

An act for the benefit of R. B. McCall, administrator of J. W. Riley, deceased.

An act to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868.

An act to authorize the late judge of the Kenton county court to enter and sign certain judgments, orders, and returns, and to legalize the same.

An act to amend section 3, article 3, chapter 17, of Revised Statutes.

An act to amend an act, entitled "An act for the benefit of the county court of Union county," approved February, 1871.

An act to authorize and empower the Bedford Division, Sons of Temperance, to sell and convey its real estate.

An act for the benefit of Logan county.

An act to exclude Crab Orchard Springs from the limits of Crab Orchard.

An act for the benefit of Kentucky Farmers' Insurance Company.

An act to amend the charter of the city of Covington.

With an amendment to the last named bill.

That they had concurred in the adoption of a resolution, entitled Resolution in relation to Irish exiles.

That they had passed bills of the following titles, viz:

1. An act to amend section 1, article 1, chapter 84, Revised Statutes, title "Roads and Passways."

2. An act to amend the charter of the town of Millersburg, in Bourbon county.

3. An act to repeal all laws restricting the sale of hides or pelts in Shelby county.

4. An act to change the time of holding the county and quarterly courts of Fulton county.

5. An act to authorize William Green, of Elliott county, to erect a mill-dam across Little Sandy river.

6. An act to authorize the Elliott county court to issue bonds to raise a fund for the erection of the public buildings of said county.

7. An act for the benefit of Robert A. Marical, of Josh Bell county.

8. An act to create and regulate the office of county treasurer of Floyd county.

9. An act for the benefit of the judge of the Todd county and quarterly courts.

10. An act for the benefit of the surveyor of Harlan county.

11. An act to authorize McCracken county to subscribe, pay for, and hold stock in any gravel road company whose road or any part shall be made in said county.

12. An act to allow the county court of Oldham county to issue bonds for turnpike road purposes.

13. An act to amend the charter of the town of Brooksville, in Bracken county.

14. An act to amend an act, entitled "An act for the benefit of the county of Fleming," approved February 17th, 1871.

15. An act to appropriate money.

16. An act for the benefit of Hawkins McKee, jailer of Whitley county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, and 13th were referred to the Committee on Revised Statutes and Codes of Practice; the 3d, 4th, 6th, 8th, 9th, and 10th to the Committee on Courts of Justice; the 5th to the Committee on Internal Improvement; the 7th to the Committee on Finance; the 11th and 14th to the Committee on the Judiciary;

the 15th was ordered to be printed, and made the special order of the day for Friday next; and the 16th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Emily Wall, of Harrison county;

An act to change the boundary line between the counties of Ohio and Butler;

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, so far as it applies to Rhodes creek, in Daviess county;"

An act to amend the charter of the Paducah Chephna Eshurum Burial Society;

An act to amend an act to incorporate the Cook Benevolent Institution;

An act to revive an act, entitled "An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson," approved 2d day of March, 1869;

An act for the benefit of P. J. Sheeran, of Newport;

An act to amend the charter of the city of Covington;

An act to amend the charter of the Louisville and Nashville Railroad Company;

An act to amend the charter of the Bethel and Owingsville Turnpike Road Company;

An act to amend the charter of the Owingsville and Sherburn Turnpike Road Company;

An act to amend the charter of the Owingsville and Bald Eagle Turnpike Road Company;

An act for the benefit of O. C. Bowles and Geo. N. Brown, and their associates, lessees, and vendees;

An act to amend the 8th section of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3, 1870, in relation to wharfmaster;

An act to authorize the trustees of the town of Alexandria, in Campbell county, to change an alley in said town;

An act for the benefit of Spencer county in relation to the Louisville, Harrodsburg, and Virginia Railroad;

An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant;

An act to incorporate the Kentucky Masonic Mutual Relief Association.

An act to incorporate the Gano Hill Turnpike Company;

An act to amend the charter of the city of Frankfort;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Georgetown," approved March 1st, 1847;

An act to amend an act, entitled "An act to incorporate the town of Pleasureville, in Henry county;"

An act to extend the corporate limits of the town of Blandville, in Ballard county;

An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company," approved March 14th, 1870;

An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary;

An act to amend an act, entitled "An act to prohibit the destruction of fish in Cumberland river, above the falls;"

An act to amend an act, entitled "An act to establish the county of Elliott;"

An act for the benefit of Woodford county;

An act to amend the charter of the Paducah and Lovelaceville Gravel Road Company;

And enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to authorize and empower the county court of McLean county to levy an additional tax, and to issue county bonds to build a new court-house and new jail, and for other purposes;

An act for the benefit of the incorporated banks of Kentucky;

An act to authorize the county court of Butler county to issue bonds to raise the necessary funds to build a court-house;

An act to amend the charter of the town of Elizabethtown;

Resolution to print report of engineer of Big Sandy river;

Resolution in relation to a final adjournment of the present General Assembly;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to incorporate the Glasgow Cemetery Company.

By Mr. W. Johnson, from the Committee on the Judiciary—

An act concerning the First Presbyterian Church of Shelbyville, to legalize a division of the property of said church, and to incorporate the divided parties in said church.

By Mr. John W. Johnson, from the Committee on Religion and Morals—

An act to incorporate the Kentucky Baptist Historical Society.

With an amendment to the last named bill.

Which amendment was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act declaring the Bayou DeChein a navigable stream.

An act to incorporate the Monterey and New Columbus Turnpike Road Company.

An act for the benefit of Wm. E. Clelland, sheriff of Mercer county.

An act to change the time of holding the quarterly and county courts in the county of Green.

An act to amend the road law of Henderson, Union, Taylor, and Grayson counties.

An act to authorize the sale of the poor-house property in Boyle county, and to reinvest the proceeds in a more suitable place in said county.

An act to authorize the county court of Taylor county to sell a part of the court-house lot in Campbellsville for certain purposes.

An act amending an act, entitled "An act to amend an act incorporating the Bardstown and Bloomfield Turnpike Road Company."

On motion of Mr. Chelf, a message was sent to the House of Representatives, asking leave to withdraw the announcement of the disagreement of the Senate to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. J. Lisle.

After a short time, said bill having been handed in at the Clerk's desk, was taken up, and the vote reconsidered by which the passage of said bill had been disagreed to.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, approved February 17, 1871, to prevent the sale of spirituous liquors, &c., in the town of Burksville,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the House of Representatives, entitled

An act granting C. V. Pierce, of Daviess county, coffee-house privileges,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Alexander read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Librarian be, and he is hereby, authorized to purchase two

maps of modern date, one of the United States and one of the State of Kentucky, for the use of the State, to be placed in the Capitol building; and when purchased, the Auditor is authorized to draw his warrant on the Treasurer for the amount of their cost, not to exceed fifty dollars, to be paid out of any money in the Treasury not otherwise appropriated.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Alexander, were as follows, viz:

Those who voted in the affirmative, were--

Mr. SPEAKER (Holt),	G. W. Connor,	I. A. Spalding,
Jos. M. Alexander,	J. H. Dorman,	A. G. Talbott,
Robert Boyd,	W. McKee Fox,	Oscar Turner,
A. K. Bradley,	Edwin Hawes,	H. A. Tyler,
R. A. Burton,	J. B. Hayden,	W. L. Vories,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	John W. Johnson,	Emery Whitaker,
John B. Clarke,	W. H. Payne,	Thos. Wrightson—24.

Those who voted in the negative, were—

A. C. Vallandingham, Lewis Perrin—2.

Mr. William Johnson moved the following resolution, viz:

Resolved, That during the remainder of the session the Senate will meet at 9 o'clock, A. M., adjourn at 1 o'clock, P. M., meet again at 3 o'clock, P. M., and adjourn at pleasure.

Which was adopted.

Mr. Vallandingham moved the following resolution, viz:

Resolved, That during the remainder of the present session no Senator shall speak longer than ten minutes at one time on any subject under discussion before the Senate.

Which was adopted.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act authorizing the county court of Christian and Allen counties to establish additional voting places in said counties.

An act for the benefit of E. M. Flack, sheriff of Todd county.

An act to organize and establish a system of public schools in the city of Owensboro for white children in said city.

An act for the benefit of common school districts in Clinton county.

An act to amend the charter of the Board of Education of the Louisville Annual Conference of the Methodist Episcopal Church, South, approved January 25, 1867.

An act for the benefit of school district No. 6, in Robertson county.

An act to require turnpike road companies in Lewis county to make annual settlements with the county judge.

An act exempting salt wagons from payment of toll on the Wilderness Turnpike Road, in the counties of Knox and Josh Bell.

An act to regulate the collection of tolls on such parts of the Russell Turnpike Road, in Fayette county, and the Centerville and Jacksonville Turnpike Road, as are now without gates.

An act to incorporate the Frenchburg and Jeffersonville Turnpike Road Company.

An act to amend an act, entitled "An act to amend and re-enact an act to authorize common school district No. 7, in Washington county, to levy a tax for school purposes," approved March 11th, 1867, approved 3d February, 1870.

An act to incorporate the Maux Branch Turnpike Road Company.

An act for the benefit of Mrs. Russell Kavanaugh, widow of the late Judge G. W. Kavanaugh.

An act for the benefit of the sureties of Young E. Hurt, late sheriff of Adair county.

An act to protect bridges over Licking river, in Pendleton county.

An act to repeal an act, entitled "An act to change the road law in Kenton county," approved February 16th, 1870.

An act declaring Grassy creek, in Morgan county, a navigable stream.

An act for the benefit of Barren county.

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relating to the common schools of Kentucky."

An act to incorporate the Glasgow, Edmonton, and Burksville Turnpike Road Company.

An act for the benefit of James F. Carson, of Rockcastle county.

An act to allow the county court of Marshall county to purchase Stanton's Treatise.

An act for the benefit of common school district No. 26 (Carlisle district), in Nicholas county.

An act for the benefit of George Roberson, of Casey county.

An act to authorize Garred Ratliff to erect a boom across Rockcastle creek, in Lawrence county.

An act to amend an act, entitled "An act for the improvement of the Big Sandy river," approved February 10, 1870.

The Senate, according to order, took up for consideration a bill, entitled

A bill to incorporate the Barren River Lock and Dam Company.

Which reads as follows, viz:

WHEREAS, Barren river, above slack-water, is not navigable in fact except in high rises; and whereas, the convenience of the public, and the common interest of the country in which it is located, will be greatly advanced by the construction of an additional lock and dam on said river, so as to extend navigation to points above the present slack-water; and also to furnish water-power at said dam, which would be of great advantage to the country in its vicinity; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That E. B. Seeley, John E. Robinson, W. S. Vanmeter, C. J. Vanmeter, Wm. Brown, Samuel W. Coombs, John V. Sprowle, C. G. Smallhouse, and W. H. Payne, be, and they are hereby, created a body corporate, under the name and style of the "Barren River Dam Company," with authority to associate such persons with them as may choose to subscribe stock in said company; and said company, in its corporate name, may sue and be sued, may have a corporate seal, and change the same at pleasure, and transact all the legitimate business of said company.

§ 2. The incorporators herein named, or any one or more of them, may open books and take subscription of stock in said company in shares of one hundred dollars each, and each share to be represented by one vote, to be voted by the owner thereof or by proxy. But no books for that purpose shall be opened until thirty days' notice thereof shall first be given in some public newspaper, giving notice of the time and place of opening said books; and no individual or party shall be allowed to take or subscribe for more than seventy-five shares each until said books shall have remained open at least ten days, so as to prevent a few from taking the whole stock to the prejudice of others desiring to subscribe; and if the whole stock required shall not be taken in ten days, the books may remain open till all shall be taken.

§ 3. The capital stock of said company shall be the amount subscribed, and shall not exceed one hundred thousand dollars; and whenever fifty thousand dollars of said stock shall have been subscribed, the company may organize by the election of a president and five directors, who shall hold their office one year, and shall be elected annually; but in case of failure of election at the time required, each officer may continue to hold his office till his success-

or shall be elected by the company; but no person shall be a member of the company except stockholders, nor shall any office be filled by persons not members of the company.

§ 4. Upon organization as aforesaid, or thereafter, said company may proceed to build a lock and dam in Barren river, at the head of slack-water, anywhere between the Double Springs and the mouth of Jennings creek, on said river, so as to extend slack-water navigation further up said river; the navigation thereof to be open to all things, and everybody desiring to navigate said river; the lock to be not smaller than those now in use in Green and Barren rivers.

§ 5. Said company building said lock and dam shall have the right to control the same, and shall have all the profits thereof, including the tolls and water-power, subject to the restrictions only of this charter, and subject to the rights of others to navigate the river, under such regulations as are prescribed herein, and such as the company may make, not inconsistent with this charter. Said lock and dam, and the privileges herein granted, shall be a property vesting in the company in fee simple.

§ 6. While the rights of others to navigate said river shall not be prohibited, nevertheless, the company may charge and collect tolls upon all persons, boats, rafts, and crafts of every description passing through said lock, at rates not exceeding those now allowed by law to be charged at lock No. 3, on Green river; and said tolls may be collected as said other tolls are collectable; and the same rules and regulations allowed by law respecting the Green and Barren river line of navigation, and respecting the locks and dams on said line, shall apply to the lock and dam herein authorized to be constructed, and shall apply to Barren river as far up as said lock and dam will extend slack-water navigation.

§ 7. Said company may procure and hold such real estate on one or both sides the river at said lock and dam as may be necessary, not exceeding five acres on each side of said river, and in such shape as they may need it, for the purpose of constructing said lock and dam, and abutments, water-powers, and acqueducts, houses, machine-shops, and factories, necessary in connection with the use of the water-power aforesaid, and for the purpose of the company in the management of their work and business authorized by this charter; and, if necessary, said real estate may be procured under the ordinary form of writ of *ad quod damnum*, as, for example, is provided in the charter of the Louisville and Nashville Railroad Company.

§ 8. The object of this charter being to increase and extend the facilities of navigation, and at the same time to make water-power for the use of the company, and for the convenience and advantage of the public, the said company, to reward them for their work and capital expended, are further authorized to sell or lease said water-power, or to use the same for the purposes of machinery, as they may choose; and whatever machinery they may so employ shall be held by the company as a corporation aforesaid, or they may sell or lease the same, as also their said lock and dam, and their franchises, as by a majority of the company they may elect; and any member

may sell or otherwise dispose of his stock in said company, which shall pass by assignment.

§ 9. Said company may receive subscriptions in money, notes, bonds, securities, or other property, for the purposes of said enterprise, either as donations or otherwise, as may be agreed by them with any party making the subscription; and, if necessary, may borrow money and pledge the property of the company, as by mortgage, as security therefor.

§ 10. The company may make by-laws for their government, not inconsistent with this charter, or with the laws of the land; and in all instances where rights are herein conferred upon the company, the most effective remedies are also intended to be given for their enforcement.

§ 11. Upon organization of the company as aforesaid, the rights, privileges, and franchises herein created shall be vested in said company as a corporation, and shall not be impaired by subsequent legislation.

§ 12. The company shall commence the work in good faith within one year after a sufficient amount of stock shall have been subscribed to finish said lock and dam; and their works in process of construction shall not be taxable for county, town, or State purposes until the same shall be finished.

§ 13. This act to take effect from its passage.

Mr. Payne offered the following amendments to said bill, viz:

1. In the first section, after the word "that," insert the words "J. C. Underwood, T. B. Wright, H. H. Skiles."

2. To the second section add the words, "and may be closed when it may be thought a sufficient amount to do the work shall have been subscribed."

3. In the third section strike out the word "one" where it first occurs, and insert in lieu thereof the word "two."

4. In the fourth section, after the words "on said river," insert the words "in Warren county."

5. In the fifth section, after the words "navigate the river," insert the words, "and to pass said lock and dam."

6. In same section, strike out the words "in fee simple," and insert in lieu thereof the words "for ninety-nine years."

7. In the sixth section, after the word "nevertheless," insert the words "in consideration of building said lock and dam;" and after the words "are collectable, and," insert the words "for the protection of the works and the rights of the company."

8. In the 9th section, before the word "borrow," insert the words "issue bonds;" and add to said section the words, "said bonds payable within thirty years, with interest not exceeding ten per cent. per annum in the form of coupons attached to the bonds, payable semi-annually at Louisville, Kentucky."

Which amendments were severally adopted.

Mr. Webb moved to amend said bill by adding as an additional section the following, viz:

§ —. The General Assembly retains to itself the power to repeal this act at its discretion, and to regulate the tariff of tolls under this act.

Mr. Payne moved to amend said amendment by striking out the words "to repeal this act at its discretion and."

Mr. J. W. Johnson moved that the bill be recommitted to the Committee on the Judiciary.

The question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of Mr. Payne's amendment to the amendment proposed by Mr. Webb, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. John W. Johnson and Webb, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. Q. Chenoweth,	Lewis Perrin,
F. M. Allison,	J. H. Dorman,	H. A. Tyler,
A. K. Bradley,	J. B. Hayden,	A. C. Vallandingham,
W. H. Chelf,	W. H. Payne,	Thos. Wrightson—12.

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Wm. Johnson,	Ben. J. Webb,
John B. Clarke,	John W. Johnson,	Emery Whitaker—8.
Edwin Hawes,	A. G. Talbott,	

The question was then taken on the adoption of the amendment proposed by Mr. Webb, as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. John W. Johnson and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. Q. Chenoweth,	W. H. Payne,
F. M. Allison,	John B. Clarke,	Lewis Perrin,
Robert Boyd,	J. H. Dorman,	H. A. Tyler,
A. K. Bradley,	W. McKee Fox,	A. C. Vallandingham,
R. A. Burton,	J. B. Hayden,	Ben. J. Webb—16.
W. H. Chelf,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	John W. Johnson,	Emery Whitaker,

Edwin Hawes, I. A. Spalding, Thos. Wrightson—8.
Wm. Johnson, A. G. Talbott,

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to amend an act to regulate the sale of spirituous liquors to minors,

With the amendment proposed by the committee as a substitute, and the amendment thereto proposed by Mr. Spalding.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter no person shall sell, or give, or loan, to any person or persons under the age of twenty-one years, any spirituous, vinous, or malt liquors, or the mixture of either, unless by the written consent or request of the father of such minor, if living, or of the mother or guardian of such minor, if the father be dead; and any person so offending shall be subject to a fine of not less than ten nor more than fifty dollars for each and every offense, recoverable in any court having jurisdiction of the amount by warrant or indictment.

§ 2. This act shall take effect from its passage.

The amendment proposed by the committee is as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to regulate the sale of spirituous liquors," approved March 2, 1860, and an act amendatory thereof, approved February 16th, 1870, be, and they are hereby, repealed: *Provided, however*, That this repeal shall not affect any prosecutions under either or both of said acts, which have been or shall be instituted before this act goes into effect.

§ 2. That hereafter no person shall sell, give, loan, procure for, or furnish to, any person under the age of twenty-one years, any spirituous, vinous, or malt liquors, or any mixture of either, without the written consent of the father of such person, if living, or of the mother or guardian, if the father be dead; and any person so offending shall be fined, upon conviction thereof, in any court having jurisdiction thereof, fifty dollars for each offense; and if more than one person, being minors, shall drink of liquors so purchased, the person selling shall be liable as if there had been a separate sale to each. In every such prosecution the defendant, if convicted, shall pay the costs, including an attorney's fee of ($20) twenty dollars, if

the Commonwealth is represented on the trial by a Commonwealth's or county attorney, or by an attorney appointed by the court to prosecute, where neither the Commonwealth or county attorney is present.

§ 3. That if any licensed vendor of spirituous, vinous, or malt liquors, shall be convicted of a violation of this act, in addition to the penalty denounced by the second section of this act, he shall forfeit his license, and shall be disqualified to procure a license again for twelve months; and upon a second conviction, he shall be perpetually disqualified; and any license procured by any person disabled under this section shall be void: *Provided, however*, That he and his sureties shall be liable on any bond executed on obtaining such license, in the same manner as if the license had been valid.

§ 4. That whenever, in any prosecution under this act, it shall be proved that spirituous, vinous, or malt liquors have been sold, given, loaned, or otherwise furnished to any minor, in the bar-room of any licensed vendor of such liquors, or on his premises attached thereto, by any bar-keeper or servant of the proprietor, or person for the time being acting as such, it shall be conclusively presumed that such selling, giving, loaning, or furnishing was done with the knowledge and consent of the proprietor.

§ 5. That in addition to the penalties denounced by this act to be recovered by a public prosecution, the father, if living, or if the father be dead, the mother or guardian, or other person entitled to the services of any minor to whom liquor has been sold in violation of this act, shall be entitled by civil action, on the bond of any licensed vendor, to recover against him and his sureties one hundred dollars in damages with costs, including an attorney's fee of twenty-five dollars; and each set of facts which would authorize a separate prosecution shall constitute a separate cause of action under this section.

§ 6. That actions and prosecutions under this act shall be commenced within one year after the cause of action accrued.

§ 7. This act shall take effect from its passage.

Mr. Spalding's amendment is as follows, viz:

Amend section 5, by adding the following: *Provided, however*, That it shall be good defense to the civil action allowed by this section, that the parent or guardian consented to or connived at the selling, giving, or furnishing of the liquor to the minor.

The question being taken on the adoption of said amendment to the committee's amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Talbott and Alexander, were as follows, viz:

Those who voted in the affirmative, were--

Mr. SPEAKER (Holt),	Edwin Hawes,	I. A. Spalding,
Jos. M. Alexander,	William Johnson,	Ben. J. Webb,
F. M. Allison,	W. H. Payne,	Thos. Wrightson—10.
A. K. Bradley,		

Those who voted in the negative, were—

Robert Boyd,	J. H. Dorman,	Oscar Turner,
R. A. Burton,	John W. Johnson,	H. A. Tyler,
W. H. Chelf,	Lewis Perrin,	A. C. Vallandingham
John B. Clarke,	A. G. Talbott,	Emery Whitaker—12.

Mr. Wm. Johnson then moved as an amendment to the committee's amendment, that in the 5th section, after the word "sold," the words "given, loaned, procured for, or furnished," be inserted.

Which was adopted.

Mr. Wm. Johnson then moved to amend the committee's amendment by striking out that clause, in the 2d section, which begins with the words "and if more" and ends with the words "separate sale to each."

Which was adopted.

Mr. Payne moved to amend the committee's amendment by striking out, in the 4th section, the words "conclusively presumed," and inserting in lieu thereof the words "*prima facie* evidence."

Which was adopted.

Mr. Vallandingham moved that said bill and proposed amendments be laid upon the table.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	J. B. Hayden,	I. A. Spalding—5.
A. K. Bradley,	A. C. Vallandingham,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	A. G. Talbott,
Jos. M. Alexander,	Edwin Hawes,	Oscar Turner,
Robert Boyd,	William Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	Ben. J. Webb,
W. H. Chelf,	W. H. Payne,	Thos. Wrightson—17.
John B. Clarke,	Lewis Perrin,	

Mr. Talbott moved to amend the committee's amendment by inserting in the 2d section, after the word "dead," the words "or upon the written prescription of a practicing physician."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Edwin Hawes,	A. G. Talbott,	Ben. J. Webb,
John W. Johnson,	Oscar Turner,	Emery Whitaker—7.
I. A. Spalding,		

Those who voted in the negative, were—

Jos. M. Alexander,	J. H. Dorman,	Lewis Perrin,
F. M. Allison,	W. McKee Fox,	H. A. Tyler,
A. K. Bradley,	Wm. Johnson,	A. C. Vallandingham,
W. H. Chelf,	W. H. Payne,	Thos. Wrightson—13.
John B. Clarke,		

Mr. Payne moved to amend the committee's amendment by inserting in the 2d section, after the word "dead," the words "except in great immediate necesssity from sickness or injury, or when prescribed by a physician."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	I. A. Spalding,	Ben. J. Webb,
A. K. Bradley,	A. C. Vallandingham,	Emery Whitaker—7.
W. H. Payne,		

Those who voted in the negative, were—

Jos. M. Alexander,	W. McKee Fox,	A. G. Talbott,
Robert Boyd,	Edwin Hawes,	Oscar Turner,
W. H. Chelf,	William Johnson,	H. A. Tyler,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—14
J. H. Dorman,	Lewis Perrin,	

The question was then taken on the adoption of the amendment proposed by the committee as a substitute as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	W. McKee Fox,	A. G. Talbott,
Robert Boyd,	Edwin Hawes,	Oscar Turner,
R. A. Burton,	William Johnson,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	Ben. J. Webb,
John B. Clark,	W. H. Payne,	Emery Whitaker,
J. H. Dorman,	Lewis Perrin,	Thos. Wrightson—18.

Those who voted in the negative, were—

F. M. Allison,	A. C. Vallandingham,	I. A. Spalding—4.
A. K. Bradley,		

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Edwin Hawes,	Oscar Turner,
Robert Boyd,	J. B. Hayden,	H. A. Tyler,
R. A. Burton,	William Johnson,	Ben. J. Webb,
W. H. Chelf,	John W. Johnson,	Emery Whitaker,
John B. Clarke,	Lewis Perrin,	Thos. Wrightson—17.
J. H. Dorman,	A. G. Talbott,	

Those who voted in the negative, were—

F. M. Allison, A. C. Vallandingham, I. A. Spalding—4.
A. K. Bradley,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors.

Mr. John W. Johnson, from the Committee on Religion and Morals, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of intoxicating liquors in the county of Bullitt,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful, after this act takes effect, for the county court of Bullitt county, or any other person or persons, to grant a license to any person or persons to sell by wholesale or retail any brandy, whisky, or intoxicating liquors, or a mixture thereof, within the limits or jurisdiction of Bullitt county.

§ 2. That any person or persons selling such liquors shall be deemed guilty of keeping a tippling-house, and for the first offense, upon presentment of a grand jury, shall be fined one hundred dollars, and for every subsequent offense shall be fined two hundred and fifty dollars, the fines to be collected as other fines are collected, and to inure to the benefit of the common school fund of said county, and to be paid over to the common school commissioner of the county aforesaid, and he shall be liable on his bond for the faithful application of said fund to the common school purposes of said county in same manner as the common school fund of the State is applied.

§ 3. That manufacturers and wholesale dealers of whisky and brandy in said county may sell the same, to be delivered at the time of the sale, but not in less quantities than forty gallons; and it shall be the duty of the circuit court to give this act in charge to the grand juries of said county at each term thereof.

§ 4. This act shall take effect whenever it shall be ratified by a majority of the voters of said county voting thereon at any election in said county; and a poll shall be opened at the next August election in every election district in said county for its adoption or rejection; and the county court clerk of said county shall prepare a column in the poll books in said county for taking said vote, and the examiners of poll-books of elections in said county shall certify the result of said vote to the county court, and said court shall have the same entered upon the records of its court.

§ 5. That should said act be rejected at the first election, the same may be voted on at any subsequent election in August, and, if then ratified, shall thereafter take effect as above: *Provided*, That nothing herein shall prohibit the sale of liquor by those licensed at the time this act takes effect until their license expires, nor to prohibit licensed druggists from selling spirituous liquors for medicinal purposes upon the written prescription of resident physicians of good standing in said county, nor to prohibit such physicians from selling spirituous liquors for medicinal purposes.

Mr. Wm. Johnson moved to amend said bill by striking out all of the second section after the words "fines are collected."

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. B. Hayden,	A. G. Talbott,
W. H. Chelf,	William Johnson,	H. A. Tyler,
John B. Clarke,	John W. Johnson,	Ben. J. Webb,
J. H. Dorman,	W. H. Payne,	Thos. Wrightson—13.
Edwin Hawes,		

Those who voted in the negative, were—

F. M. Allison,	Lewis Perrin,	A. C. Vallandingham,
A. K. Bradley,	I. A. Spalding,	Emery Whitaker—7.
W. McKee Fox,		

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. W. Johnson, from the Committee on Religion and Morals, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to prevent the sale of spirituous liquors in the town of Middleburg, Casey county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful for any person to sell or give any spirituous, vinous, or malt liquors in the town of Middleburg, in Casey county, in quantities less than five gallons, within the limits of said town, or one mile thereof. Any person violating the provisions of this act, on presentment of a grand jury, or on information given to a magistrate having jurisdiction, shall be fined $20 for the first offense and $50 for each succeeding offense; that all fines assessed or recovered under the provisions of this act shall be paid over to the commissioner of common schools in the county of Casey, to be used by him for the benefit of common schools in Casey county.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Vallandingham, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

Jos. M. Alexander,	W. McKee Fox,	I. A. Spalding,
F. M. Allison,	Edwin Hawes,	Oscar Turner,
A. K. Bradley,	William Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
W. H. Chelf,	A. L. McAfee,	Ben. J. Webb,
John B. Clarke,	W. H. Payne,	Emery Whitaker,
J. H. Dorman,	Lewis Perrin,	Thos. Wrightson—21.

So said bill was disagreed to.

On motion of Mr. Perrin, leave was given to bring in a bill, entitled

A bill authorizing the Harrison county court to appropriate money to aid in building a bridge over main Licking, at Claysville, and to levy a tax therefor.

Ordered, That the Committee on Courts of Justice prepare and bring in the same.

And then the Senate adjourned.

THURSDAY, MARCH 16, 1871.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to amend section 17, article 2, chapter 56, Revised Statutes, title "Landlord and Tenant."

That they had passed a bill, which originated in the Senate, entitled

An act to further protect the owners of stock living along the line of railways.

With amendments thereto.

Which were taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1st, 1854.

An act for the benefit of J. S. Randall, of Whitley county.

An act for the benefit of John A. Wilson, clerk of the Fulton county court.

An act concerning the collection of claims of the State of Kentucky against the Federal Government.

An act for the benefit of Elijah Evans, of Jessamine county.

An act for the benefit of M. C. Hughes, late sheriff of Gallatin county.

An act for the benefit of R. W. Stringer, of Livingston county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same.'"

An act to amend an act, entitled "An act to incorporate the Simpsonville and Antioch Turnpike Road Company."

An act for the benefit of common school district No. 19, in Montgomery county.

An act for the benefit of public schools and academies of Newport.

An act for the benefit of school district No. 22, in Madison county.

An act to incorporate the Iron Works Turnpike Road Company.

An act for the benefit of school district No. 3, in Simpson county.

An act to amend an act repealing in part the act declaring the Rolling Fork of Salt river a navigable stream.

An act to incorporate the DeMossville and Gardnersville Turnpike Road Company, in Pendleton county.

An act to incorporate the Logan's Creek, Dudderar's Mill, and White Oak Turnpike Road Company.

An act to incorporate the Caverna and Burksville Turnpike Road Company.

An act to incorporate the Shepherdsville and Belmont Furnace Turnpike Road Company.

An act to provide compensation to the clerk of the Campbell circuit court for making cross-index to the suits and records thereof.

An act to amend chapter 53 of the Revised Statutes, title "Interest and Usury."

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways," approved February 20th, 1869.

2. An act to amend an act to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Company.

3. An act to relieve sheriffs and other officers from penalties for failure to execute process in certain cases.

4. An act to amend section 1, chapter 99, of the Revised Statutes.

5. An act for the benefit of the Pendleton Academy.

6. An act for the benefit of Benj. D. Beall, clerk of the Campbell circuit court.

7. An act to incorporate the Falls City Tobacco Manufacturing Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, and 4th to the Committee on Revised Statutes and Codes of Practice; the 2d and 7th to the Committee on Internal Improvement; the 5th to the Committee on Education; and the 6th to the Committee on Finance.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had

approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Elizabethtown.

An act to prohibit the sale of intoxicating liquors in Sonora, in Hardin county.

An act incorporating the Bardstown and Shepherdsville Turnpike Road Company.

An act incorporating the Bloomfield and Bardstown Turnpike Road Company.

An act to authorize and empower the county court of McLean county to levy an additional tax, and to issue county bonds to build a new court-house and new jail, and for other purposes.

An act to authorize the county court of Butler county to issue bonds to raise the necessary funds to build a court-house.

An act for the benefit of turnpike roads in Bath county.

An act for the benefit of Johnson county.

An act concerning the advertisement of sheriffs and commissioners' sales of land in Bath county.

An act for the benefit of S. S. McFatridge, late sheriff of Mercer county.

An act to change the time of holding the Warren quarterly court.

An act to vest the trustees of Cave City with additional powers.

An act to authorize the Union county court to appoint a sheriff for said county.

An act to incorporate the Southern Kentucky Railroad Company.

Resolution to print report of engineer of Big Sandy river.

Resolution in relation to a final adjournment of the present General Assembly.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom same were referred, with the expression of opinion that said bills ought not to pass, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act for the benefit of the judge of the Todd county and quarterly courts.

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to incorporate the Bank of the Metropolis.

And the question being taken, separately, on ordering each of said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Wm. Johnson, from the Committee on Courts of Justice, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of James Faircloth, of Mercer county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Vories, from the Committee on Finance, to whom had been referred the amendment proposed by the House of Representatives, to a bill from the Senate, entitled

An act for the benefit of A. C. Cox, late sheriff of Green county,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Webb, from a select committee, to whom had been referred resolutions from the House of Representatives, entitled

Resolutions on the death of Hon. Daniel Breck,

Reported the same, with the expression of opinion that said resolutions should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company."

By same—

An act to amend an act, entitled "An act to charter the Louisville Naphthaline Steel Manufacturing Company."

By same—

An act to amend the charter of the Kentucky Real Estate and Building Company.

By same—

An act to amend an act, entitled "An act to incorporate the Eagle Petroleum and Mineral Company."

By same—

An act to amend an act, entitled "An act to incorporate the Webster Coal Company," approved March 9, 1867.

By same—

An act to incorporate the Henderson Fence Company.

By same—

An act to incorporate the Kentucky River Salt Manufacturing Company, in Perry county.

By Mr. Whitaker, from the Committee on Banks and Insurance—

An act to incorporate the Bank of Maysville.

By same—

An act to incorporate the Farmers' and Traders' Bank of Shelbyville.

By same—

An act to incorporate the Campbell County Kentucky Bank.

By same—

An act to incorporate the Warehouse Banking Company.

By same—

An act to amend the charter of the Deposit Bank of Frankfort.

By same—

An act to amend an act, entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, &c.," approved February 7th, 1868.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act for the benefit of M. M. Teager, of Fleming county.

By same—

An act to repeal all laws restricting the sale of hides or pelts in Shelby county.

By same—

An act to change the time of holding the county and quarterly courts of Fulton county.

By same—

An act to amend an act, entitled "An act for the benefit of the county of Fleming," approved February 17th, 1871.

By same—

An act to allow the county court of Oldham county to issue bonds for turnpike road purposes.

By same—

An act for the benefit of the surveyor of Harlan county.

By same—

An act to create and regulate the office of county treasurer of Floyd county.

By same—

An act to authorize the Elliott county court to issue bonds to raise a fund for the erection of the public buildings of said county.

By same—

An act to authorize the condemnation of land for cemetery purposes in Pendleton county.

By same—

An act to amend an act, entitled "An act for the benefit of the county of Morgan," approved January 17, 1867.

By same—

An act authorizing the judge of the Spencer county court to appoint trustees for the town of Taylorsville, when vacancies occur.

By same—

An act appointing commissioners to settle with the county judges of the counties of Knox and Josh Bell, in relation to the tolls received by them from gate-keepers on the Wilderness Turnpike Road.

By same—

An act authorizing the county court of the county of Muhlenburg to release James C. Moorman from his bond, whereby a negro girl, Caroline, was apprenticed to him.

By same—

An act to authorize the Pendleton county court to borrow money for certain purposes.

By same—

An act to legalize certain acts of the Pendleton county court.

By same—

An act for the benefit of Washington county.

By same—

An act authorizing Washington county court to levy an *ad valorem*

tax of not exceeding twenty cents on the one hundred dollars to pay the indebtedness of the county on account of turnpike roads.

By Mr. Vories, from the Committee on Finance—

An act for the benefit of N. B. Campbell, of Josh Bell county.

By same—

An act for the benefit of John M. Fish, of Rockcastle county.

By same—

An act for the benefit of Nelson Whitaker, of Mason county.

By same—

An act for the benefit of Robert A. Marical, of Josh Bell county.

By same—

An act for the benefit of Wm. D. Dye, of Lincoln county.

By same—

An act for the benefit of A. C. Kincheloe, of Spencer county.

By same—

An act for the benefit of John E. Walton, of Boone county.

By same—

An act for the benefit of S. B. Huey, of Boone county.

By same—

An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867.

By same—

An act to exempt from taxation the property belonging to the Logan Female College.

The last two named with amendments.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

A bill to prevent the destruction of birds in Jefferson county.

By Mr. Whitaker, from the Committee on Banks and Insurance—

A bill to amend chapter 97 of the Revised Statutes.

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to incorporate the High Grove and Sayer's Depot Turnpike Road Company."

By same—

A bill to require the clerk of the Harrison circuit court to index and cross-index certain judgment and order-books in his office.

By same—

A bill limiting the right of attachment in certain cases.

By same—

A bill authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Claysville, and to levy a tax therefor.

By same—

A bill for the benefit of J. C. Calhoun, sheriff of McCracken county.

By Mr. Vories, from the Committee on Finance—

A bill to amend the charter of the town of Carrollton, in Carroll county.

By same—

A bill for the benefit of James Hord, late sheriff of Clay county, and his securities.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate a steam ferry company at the mouth of the Ohio river, in Ballard county;

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence;

An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, in Garrard county;

An act to authorize the city of Dayton, in Campbell county, to establish common school system;

An act for the benefit of E. B. Treadway, former sheriff of Owsley county;

An act to amend the charter of the town of Cromwell, in Ohio county;

An act to prevent the sale of spirituous, vinous, or malt liquors as a beverage in the county of Jackson;

An act for the benefit of Thomas Monarch, late tax collector of Daviess county;

An act to extend and enlarge the corporate limits of the town of South Carrollton, in Muhlenburg county;

An act to amend the charter of the town of Mayfield;

An act to incorporate the town of Tollsboro;

An act to incorporate the Quick's Run and Stout's Landing Turnpike Company;

An act to amend the charter of the town of Midway;

An act to amend 2d section of an act, entitled "An act to amend the charter of the town of Springfield;"

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act providing for the payment of certain claims allowed by the Rockcastle circuit court;

An act to amend the 3d section, 2d article, chapter 32d, of the Revised Statutes;

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same;

An act for the benefit of Kentucky Farmers' Mutual Insurance Company;

An act authorizing the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a branch of the Louisville and Nashville Railroad from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky;

Resolution in relation to Irish exiles;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

Mr. Vallandingham, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of E. Kirby Smith,

Reported the same without amendment.

Said bill reads as follows, viz :

WHEREAS, It has been represented to this General Assembly that the barracks heretofore erected by General E. Kirby Smith, on the property near Newcastle, was destroyed by fire, by which casualty his flourishing and prosperous military school at that place was wholly broken up, and he compelled to abandon his home, and seek a situation in another State; now, for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for the said E. Kirby Smith, late of Newcastle, Henry county, to dispose of his houses, lots, and lands, in said county, in shares, and for that purpose may issue and sell, by himself or agents, as many certificates representing fractions of said property, or blanks, as may be deemed proper.

§ 2. That the Hon. W. S. Pryor, Geo. M. Jessee, C. M. Mathews, and Jos. Barbour, be, and they are hereby, appointed commissioners, whose duty it shall be to determine, by lot, to what shareholders any portion or portions of said lands or property shall belong, and to whom the title thereto shall be made, and to do and perform any act that may, in their opinion, be necessary to carry this act into full effect.

§ 3. This act shall take effect from and after its passage.

Mr. Wm. Johnson moved to amend said bill by adding, as an additional section, the following, viz:

§ —. That Mrs. Thomas J. Fisher and her daughter, Mollie Gray, shall have the privilege of disposing of their house, where they now reside, and the tract of land on which it is located, in the same manner as is authorized by the foregoing sections of this act; and W. W. George, jr., C. P. Mattingly, William Wilson, and Sam'l Gray, be, and are hereby, appointed commissioners to manage and superintend the disposal of said property for the said Fisher and Gray.

Mr. Hawes moved to amend said amendment by adding thereto the following as an additional section, viz:

§ —. That John Wells, of Whitesville, also have the privilege of disposing of his property in Daviess county in the same manner; and John Lyons, W. Barrett, and Marshall McMahon, are hereby appointed commissioners to manage its disposition as herein provided.

The question being taken on the adoption of said amendment to Mr. W. Johnson's amendment, it was decided in the negative.

The question was then taken on the adoption of Mr. W. Johnson's amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Johnson and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	W. McKee Fox,	Lewis Perrin,
R. A. Burton,	William Johnson,	Thos. Wrightson—8.
W. H. Chelf,	A. L. McAfee,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	A. G. Talbott,
Jos. M. Alexander,	Edwin Hawes,	H. A. Tyler,
F. M. Allison,	John W. Johnson,	A. C. Vallandingham,
A. K. Bradley,	I. A. Spalding,	Ben. J. Webb,
J. Q. Chenoweth,	E. D. Standeford,	Emery Whitaker—16.
John B. Clarke,		

Mr. Boyd then moved that said bill be amended by adding the following as an additional section, viz:

§ —. That the provisions of this act apply to James L. Joplin, of Mount Vernon, in Rockcastle county, and that he be allowed to sell all his property under the provisions of this act; and that M. J. Cook, Col. D. H. Smith, and Willis Adams, be appointed commissioners to carry out the provisions of this act.

The question being taken on the adoption thereof, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. William Johnson and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	W. McKee Fox,	E. D. Standeford,
F. M. Allison,	J. B. Hayden,	A. G. Talbott,
A. K. Bradley,	A. L. McAfee,	A. C. Vallandingham,
R. A. Burton,	I. A. Spalding,	Ben. J. Webb—13.
J. Q. Chenoweth,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	Lewis Perrin,
W. H. Chelf,	William Johnson,	H. A. Tyler,
John B. Clarke,	John W. Johnson,	Emery Whitaker,
J. H. Dorman,	W. H. Payne,	Thos. Wrightson—12.

Resolved, That the title of said bill be as aforesaid.

Mr. Spalding, from the Committee on Finance, to whom was referred a resolution, entitled

Resolution directing the appointment of an agent to collect the Kentucky war claims,

Reported the same, with the expression of opinion that it ought not to be adopted.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and he is hereby, authorized and directed, within thirty days from and after the adoption of this resolution, to appoint a special agent, upon a contingent compensation exclusively, to collect the remainder of the claims of the State of Kentucky against the Government of the United States, known as the State war claims.

The question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Payne, A. C. Vallandingham, Thos. Wrightson—3.

Those who voted in the negative, were—

Jos. M. Alexander,	G. W. Connor,	I. A. Spalding,
F. M. Allison,	Lyttleton Cooke,	E. D. Standeford,
Robert Boyd,	J. H. Dorman,	A. G. Talbott,
A. K. Bradley,	Edwin Hawes,	Oscar Turner,
R. A. Burton,	J. B. Hayden,	H. A. Tyler,
W. H. Chelf,	William Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	John W. Johnson,	Emery Whitaker—23.
John B. Clark,	Lewis Perrin,	

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Spalding, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to change the time of payment of the revenue into the State Treasury, and amend the revenue laws,

Reported the same, with the expression of opinion that it ought not to pass.

Ordered, That the further consideration of said bill be postponed until to-morrow, and that said bill be printed.

Mr. Whitaker, from the Committee on Banks and Insurance, to whom was recommitted a bill, entitled

A bill to incorporate the Kentucky Mutual Benefit Association of Physicians,

Reported the same, with the expression of opinion that said bill ought not to pass.

The question being taken on ordering said bill to be engrossed and read a third time, it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Whitaker, from the Committee on Courts of Justice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Knox county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It is made manifest to the General Assembly of the Commonwealth of Kentucky, that the county of Knox has a good and safe jail, which requires no guard to prevent the escape of prisoners confined therein; and whereas, it has been further shown, that during the time John Owens was confined in the Whitley county jail, on a charge of murder, an attempt was made by a body of armed men to rescue and release said Owens from said jail, and was only prevented from so doing by a guard that had been ordered by the county judge of Whitley; and whereas, the case of the Commonwealth against John Owens was removed to the Knox circuit court by change of venue, and said John Owens transferred from the Whitley to the Knox county jail; and whereas, the judge of the Knox county court had reasonable grounds to apprehend that an attempt would be made by an armed force to release said Owens from the jail of Knox, ordered a guard to prevent same, which claim amounts to $493; which, under an act of the Legislature, approved the — day of ——, 186–, will have to be paid by the county of Knox, which would be unjust; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said county of Knox be exempt from the payment of the claims of said guard out of the county levy; and that the sheriff thereof is directed to pay said claims, amounting to four hundred and ninety-three dollars, out of the revenue due from Knox county for the year 1871; and the Auditor of Public Accounts is directed to

credit said sheriff with said amount upon settlement of his account for the revenue of Knox county for the year 1871.

§ 2. That his act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	A. G. Talbott,
Jos. M. Alexander,	Wm. Johnson,	Oscar Turner,
F. M. Allison,	John W. Johnson,	H. A. Tyler,
Robert Boyd,	A. L. McAfee,	A. C. Vallandingham,
A. K. Bradley,	W. H. Payne,	W. L. Vories,
W. H. Chelf,	Lewis Perrin,	Ben. J. Webb,
John B. Clarke,	I. A. Spalding,	Emery Whitaker,
Lyttleton Cooke,	E. D. Standeford,	Thos. Wrightson—25.
J. H. Dorman,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Vories, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to appropriate money to the Western Lunatic Asylum,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $5,500 be, and the same is hereby, appropriated to the Western Lunatic Asylum of Kentucky, to purchase a range and other cooking apparatus; to pay for twenty-seven and a half acres of land, at $45 12 per acre, bought by said Asylum; to furnish chapel with seats, and to supply necessary furniture for the wards of said Asylum.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	E. D. Standeford,
Jos. M. Alexander,	J. H. Dorman,	A. G. Talbott,
F. M. Allison,	Edwin Hawes,	H. A. Tyler,
Robert Boyd,	J. B. Hayden,	A. C. Vallandingham,
A. K. Bradley,	Wm. Johnson,	W. L. Vories,
R. A. Burton,	John W. Johnson,	Ben. J. Webb,

W. H. Chelf,	W. H. Payne,	Emery Whitaker,
John B. Clarke,	I. A. Spalding,	Thos. Wrightson—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Vories, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of J. W. Hazelrigg, and the heirs of E. E. Duke, deceased,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	John B. Clarke,	I. A. Spalding,
F. M. Allison,	J. B. Hayden,	A. G. Talbott,
Robert Boyd,	Wm. Johnson,	W. L. Vories,
A. K. Bradley,	John W. Johnson,	Ben. J. Webb,
R. A. Burton,	W. H. Payne,	Emery Whitaker,
W. H. Chelf,	Lewis Perrin,	Thos. Wrightson—18.

Those who voted in the negative, were—

Lyttleton Cooke,	Edwin Hawes,	A. C. Vallandingham,
J. H. Dorman,	Oscar Turner,	H. A. Tyler—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Talbott, from the Committee on Charitable Institutions, reported a bill, entitled

A bill for the benefit of Thomas Meheir.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz

WHEREAS, Thomas Meheir, late of the city of Lexington, but now of the city of Newport, is a cripple, having been deprived of the use of his left arm by a fall from the scaffolding of the Clay Monument, at Lexington; and whereas, a large family of children are dependent upon him for support, which he has heretofore been able to provide for them by following the occupation of a peddler; and whereas, it

now appears that he is unable from the scant profits of his avocation to support his family and pay the increased tax upon license to peddle; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the aforesaid Thomas Meheir be, and is hereby, allowed to peddle linens, dry goods, and notions in all the counties of this Commonwealth without taking out the usual license required by law to be taken out by peddlers.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. William Johnson and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	A. G. Talbott,
Jos. M. Alexander,	John W. Johnson,	H. A. Tyler,
R. A. Burton,	A. L. McAfee,	Ben. J. Webb,
J. Q. Chenoweth,	W. H. Payne,	Thos. Wrightson—14.
J. H. Dorman,	E. D. Standeford,	

Those who voted in the negative, were—

F. M. Allison,	Lyttleton Cooke,	I. A. Spalding,
Robert Boyd,	Edwin Hawes,	Oscar Turner,
A. K. Bradley,	William Johnson,	A. C. Vallandingham,
W. H. Chelf,	Lewis Perrin,	W. L. Vories—13.
John B. Clarke,		

Resolved, That the title of said bill be as aforesaid.

Mr. Vallandingham, from a select committee, reported a bill, entitled

A bill to amend chapter 30, of the Revised Statutes, title "Descent and Distribution."

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the claims of physicians for medical services rendered, and for medicines furnished, shall be placed and regarded upon the same footing as the funeral wear and burial expenses of deceased persons.

§ 2. This act to be in force from and after its passage.

Mr. Tyler moved, as an amendment to said bill, to insert after the words "medicines furnished," the words "during the last illness."

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. William Johnson and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	A. L. McAfee,	Oscar Turner,
Jos. M. Alexander,	W. H. Payne,	H. A. Tyler,
A. K. Bradley,	Lewis Perrin,	A. C. Vallandingham
J. Q. Chenoweth,	I. A. Spalding,	W. L. Vories,
John B. Clarke,	E. D. Standeford,	Ben. J. Webb—17.
John W. Johnson,	A. G. Talbott,	

Those who voted in the negative, were—

F. M. Allison,	J. H. Dorman,	William Johnson,
Robert Boyd,	Edwin Hawes,	Emery Whitaker,
W. H. Chelf,	J. B. Hayden,	Thos. Wrightson—10.
Lyttleton Cooke,		

Resolved, That the title of said bill be as aforesaid.

Mr. McAfee, from the Committee on Finance, reported a bill, entitled

A bill for the benefit of the heirs of Mary Scott, deceased.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

WHEREAS, By an act of the General Assembly of this Commonwealth, approved March the 9th, 1867, giving the Federal Government the authority to enter upon and condemn the lands of Mary Scott, deceased, of the county of Jessamine, for the purpose of establishing a national soldiers' cemetery at Camp Nelson, in said county; and whereas, the Federal authorities still persist in their refusal to pay for said land, which has been appropriated as above stated; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts shall draw his warrant upon the Treasurer, to be paid out of any unappropriated money in the Treasury, payable to the heirs-at-law of Mary Scott, deceased, late of the county of Jessamine, for the sum of fifteen hundred dollars, when the heirs of Mary Scott, deceased, shall file with the said Auditor a general warrantee deed to all the lands and appurtenances

thereunto belonging so condemned by Federal authority under an act of the General Assembly of this Commonwealth.

§ 2. That after the payment of this claim, the Auditor of Public Accounts shall file the same with the Quarter-Master General, who will present the same to the Government of the United States for payment.

§ 3. This act shall take effect from and after the conditions in this bill are complied with.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	A. L. McAfee,	A. G. Talbott,
Jos. M. Alexander,	Lewis Perrin,	W. L. Vories,
R. A. Burton,	E. D. Standeford,	Ben. J. Webb—9.

Those who voted in the negative, were—

F. M. Allison,	J. B. Hayden,	Oscar Turner,
A. K. Bradley,	William Johnson,	H. A. Tyler,
W. H. Chelf,	John W. Johnson,	A. C. Vallandingham,
John B. Clarke,	W. H. Payne,	Emery Whitaker,
J. H. Dorman,	I. A. Spalding,	Thos. Wrightson—16.
Edwin Hawes,		

So said bill was rejected.

Mr. Whitaker, from the Committee on Courts of Justice, reported a bill, entitled

A bill to further define the duties of clerks of circuit, chancery, and county courts of this Commonwealth.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall be the duty of the clerks of the circuit and chancery courts of this Commonwealth to keep a registry of all suits brought to settle insolvent estates in said courts, and, upon the filing of any petition for the settlement of any such estate, and distribution of its assets, to notify the clerk of the county court of their respective counties of that fact; and that upon a decree directing the distribution of such estate, to report the same, together with the style of the suit in which the estate was settled, to the clerk of the county court of their respective counties within thirty days after the rendition of such decree; and said clerk shall keep an

alphabetical register of the same, with the style of the suit in which such estate was settled.

§ 2. It shall be the duty of the county court clerk of the county wherein such estates are settled, as provided in the first section of this act, to record such notice and style of suit in the volume used for recording settlements, and to make proper entries upon the register of estates.

§ 3. For services rendered under this act, the clerks of circuit, chancery, and county courts shall be entitled to the fees now allowed by law for similar services in other cases, the same to be taxed by the circuit or chancery court clerks as part of the costs of the action. The county court clerks shall charge their fees to the plaintiff in such suits.

§ 4. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Whitaker and Vallandingham, were as follows, viz :

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lewis Perrin,	W. L. Vories,
Robert Boyd,	I. A. Spalding,	Ben. J. Webb,
John B. Clark,	E. D. Standeford,	Emery Whitaker,
Lyttleton Cooke,	H. A. Tyler,	Thos. Wrightson—14.
William Johnson,	A. C. Vallandingham,	

Those who voted in the negative, were—

Jos. M. Alexander,	J. H. Dorman,	W. H. Payne,
A. K. Bradley,	Edwin Hawes,	A. G. Talbott,
W. H. Chelf,	John W. Johnson,	Oscar Turner—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Vallandingham, from the Committee on Claims, reported a bill, entitled

A bill to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents," approved February 15th, 1869.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That it be referred to the Committee on the Judiciary, with instructions to report to-morrow.

And then the Senate adjourned.

FRIDAY, MARCH 17, 1871.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to establish a chancery court for the counties of Campbell, Kenton, Bracken, and Pendleton.

Which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the city of Frankfort.

An act to amend an act, entitled "An act to establish the county of Elliott."

An act for the benefit of Woodford county.

An act for the benefit of P. J. Sheeran, of Newport.

An act to extend the corporate limits of the town of Blandville, in Ballard county.

An act to amend an act, entitled "An act to prohibit the destruction of fish in Cumberland river, above the falls."

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Georgetown," approved March 1st, 1847.

An act to authorize the trustees of the town of Alexandria, in Campbell county, to change an alley in said town.

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, so far as it applies to Rhodes creek, in Daviess county."

An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary.

An act to incorporate the Mill Grove and Paint Lick Creek Turnpike Road Company, in Madison county.

An act authorizing the trustees of the Silver Creek Academy to sell and convey the academy property, with power to reinvest the proceeds of the sale.

An act to incorporate the Parker's Mill, Stonewall, and Connersville Turnpike Company.

An act to amend the charter of the Paducah Chephna Eshurum Burial Society.

An act to amend an act to incorporate the Cook Benevolent Institution.

An act to revive an act, entitled "An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson," approved 2d day of March, 1869.

An act to amend the 8th section of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3, 1870, in relation to wharfmaster.

An act to amend the charter of the Paducah and Lovelaceville Gravel Road Company.

An act to amend the charter of the Owingsville, Sharpsburg, and Bald Eagle Turnpike Road Company.

An act to amend the charter of the Bethel and Owingsville Turnpike Road Company.

An act to amend the charter of the Owingsville and Sherburn Turnpike Road Company.

An act to incorporate the Gano Mill Turnpike Company.

An act for the benefit of O. C. Bowles and Geo. N. Brown, and their associates, lessees, and vendees.

An act for the benefit of Spencer county in relation to the Louisville, Harrodsburg, and Virginia Railroad.

An act to incorporate the Kentucky Masonic Mutual Relief Association.

An act for the benefit of Emily Wall, of Harrison county.

An act to amend an act, entitled "An act to charter the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company," approved March 14th, 1870.

An act to change the boundary line between the counties of Ohio and Butler.

An act to amend the charter of the city of Covington.

An act to authorize the marking and defining and establishing the line between the counties of Pendleton and Grant.

An act to amend the charter of the Louisville and Nashville Railroad Company.

An act to incorporate Dreaming Creek Turnpike Road Company, in Madison county.

An act to incorporate the West Paris Bridge Company.

An act to incorporate the Mount Eden and Camdenville Turnpike Road Company.

An act to amend an act, entitled "An act to amend the Concord and Tollsboro Turnpike Road Company."

An act to amend an act, entitled "An act for the benefit of the county school fund of Pendleton county," approved March 21, 1870.

An act to incorporate the Big Eagle and Connersville Turnpike Company.

An act to amend an act, entitled "An act incorporating Sherburn Bridge Company," approved March 9, 1854.

An act authorizing the county judge of Logan county to appropriate money to keep in repair the turnpike roads in Russellville district, in said county.

An act for the benefit of common school district No. 31, in Bullitt county.

An act for the benefit of M. H. Johns, of Lawrence county.

That they had passed bills of the following titles, viz:

1. An act to fix the liabilities of Express Companies.

2. An act prohibiting officers of the State from assisting in the passage or rejection of any bill before the General Assembly.

3. An act concerning the pay of the officers of the Court of Appeals.

4. An act for the benefit of the Bourbon Agricultural Society.

5. An act to amend the charter of the city of Louisville.

6. An act for the benefit of Pope & Camp, of Louisville.

7. An act to authorize the county judge of Mason to vote certain stock in the Maysville and Lexington Railroad, Northern Division, at the next annual election for directors.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were referred to the Committee on Revised Statutes and Codes of Practice; the 3d to the Committee on Finance; the 4th to the Committee on Agriculture and Manufactures; the 5th to the Committee on the Judiciary; the 6th was placed in the orders of the day; and the 7th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Standeford, from the Committee on Internal Improvement—

An act to appropriate certain moneys due by the county of Wayne to the Public Treasury in aid of the construction of a certain turnpike road.

By same—

An act to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company.

By same—

An act to amend an act approved March 15th, 1869, abolishing the Board of Internal Improvement.

By same—

An act to incorporate the New Haven and Howard's Mill Turnpike Road Company.

By same—

An act to incorporate the Athens and Walnut Hill Turnpike Company.

By same—

An act to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved March 3d, 1851.

By same—

An act to incorporate the Greenup and Boyd County Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to incorporate the Spring Station Turnpike Road Company."

By same—

An act to incorporate the Sligo and Pendleton Station Turnpike Company.

By same—

An act to incorporate the New Castle and Sulphur Turnpike Road Company.

By same—

An act for the benefit of the Paris and Winchester Turnpike Road Company.

By same—

An act for the benefit of toll-gate keeper in Josh Bell county.

By same—

An act for the benefit of the Kentucky River Turnpike Road Company.

By same—

An act to amend the charter of the Richmond and Big Hill Turnpike Road Company.

By same—

An act authorizing the county court of Spencer county to levy a tax in aid of turnpikes.

By same—

An act to authorize the county court of Scott county to increase its subscriptions to turnpike roads.

By same—

An act authorizing the county court of Washington county to construct a bridge across the Little Beech in said county, and to provide for the payment of same.

By same—

An act to amend an act, entitled "An act to create a special road law for the county of Pendleton."

By same—

An act to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c."

By same—

An act to amend an act to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Company.

By same—

An act to incorporate the Falls City Tobacco Manufacturing Company.

By Mr. Chenoweth, from same committee—

An act to declare John's creek, in Floyd, Johnson, and Pike counties, a navigable stream.

By same—

An act to incorporate the New Castle and Bethlehem Turnpike Road Company.

By same—

An act to charter the Springfield and Chaplain Turnpike Road Company.

By same—

An act to incorporate the Perryville and Old Mackville Turnpike Road Company, in Boyle and Mercer counties.

By same—

An act to authorize John B. Goff to erect a boom across Big creek, in Martin county.

By same—

An act to repeal section 6 of an act, entitled "An act to amend the charter of the Ashland and Catlettsburg Turnpike," approved February 3, 1871.

By same—

An act to charter the Middleburg, Knob Lick, and Trace Fork Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to incorporate the Cynthiana and Millersburg Turnpike Road Company."

By same—

An act for the benefit of the Covington and DeCourcey Creek Turnpike Road Company.

By same—

An act for the benefit of Park's Ferry and Carlisle Turnpike Road Company.

By same—

An act to authorize the Anderson county court to levy a tax to build bridges, and for other purposes.

By same—

An act to charter the Lagrange and Brownsboro Turnpike Company.

By same—

An act fixing the rate of freight and tolls on the North Middletown and Mount Sterling Turnpike Road.

By same—

An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company.

By same—

An act to incorporate the Frenchburg and Owingsville Turnpike Road Company.

By same—

An act for the benefit of the Bridgeport and Farmdale Turnpike Road Company.

By same—

An act appropriating certain lands to the county of Pendleton.

By Mr. Vories, from the Committee on Finance—

An act for the benefit of the levy court of Henry county.

By Mr. Chelf, from the Committee on Religion and Morals—

An act to regulate the sale of liquors in the town of Camner, Hart county, and within one mile thereof.

With amendments to the last two named bills.

Which were adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, reported the following bills, viz:

A bill to charter the Boston and Fisherville Turnpike Road Company.

A bill to authorize and empower certain persons to close the Harrodsburg and Madison State Road, in Henry county.

A bill to incorporate the Ashbottom Turnpike Road Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, to whom was referred a bill, which originated in the House of Representatives, entitled

An act prohibiting the Murphysville Turnpike Road Company from erecting or keeping a toll-gate within one mile of the town of Murphysville,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act defining what shall be deemed a lawful fence in Gallatin county, and providing for the punishment of the owners of breachy or roguish cattle permitted to run at large on the commons therein.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

On motion of Mr. Talbott, leave was given to bring in a bill, entitled

A bill supplemental to an act, entitled "An act providing for the completion of the fire-proof offices in the city of Frankfort," approved March 9th, 1871.

Ordered, That the Committee on the Judiciary prepare and bring in the same.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act authorizing the counties of Madison, Estill, Lee, Owsley, the city of Louisville, and any other cities, counties, or towns in this State, corporations or individuals, to subscribe for stock in a branch of the Louisville and Nashville Railroad from Richmond to Irvine and Scott's Landing, or Beattyville, in Kentucky.

An act providing for the payment of certain claims allowed by the Rockcastle circuit court.

An act transferring the property of, and debts owing to, the trustees of the Harrodsburg Academy, known also as the Mercer County Seminary, to the board of trustees of the town of Harrodsburg, for common school purposes, and authorizing said board to sue for the same.

An act to amend the 3d section, 2d article, chapter 32d, of the Revised Statutes.

An act for the benefit of Kentucky Farmers' Mutual Insurance Company.

An act for the benefit of the incorporated banks of Kentucky.

An act for the benefit of the Mercer county court.

Resolution in relation to Irish exiles.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Widows' and Orphans' Cemetery Company of Crab Orchard

An act to amend the charter of Bowling Green;

An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling;

An act to incorporate the town of Spottsville, in Henderson county;

An act to amend and reduce into one the several acts in reference to the town of Eminence;

An act to amend and reduce into one all the acts concerning the town of Edmonton;

An act to incorporate the town of Knowlesburg, in Morgan county;

An act to incorporate the town of Calvert City, in Marshall county;

An act to incorporate the town of Flat Rock, in Bourbon county;

An act to incorporate the Methodist Episcopal Church, South, Widows' and Orphans' Home;

An act to incorporate the town of Frenchburg, in Menifee county;

An act to incorporate the Odd Fellows' Hall Company in the town of Nicholasville;

An act for the benefit of W. J. Lisle;

An act to incorporate the Bank of Maysville;

An act to incorporate the town of Mount Olivet, Robertson county;

An act to incorporate the town of Martinsburg, in Elliott county;

An act for the benefit of M. M. Teager, of Fleming county;

An act for the benefit of Hawkins McKee, jailer of Whitley county;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to further protect the owners of stock living along the line of railways;

An act for the benefit of A. C. Cox, late sheriff of Green county;

An act for the benefit of Logan county;

An act for the benefit of Clay county;

An act concerning the poor-house farm of Clark county;

An act authorizing the county courts of Estill and Lee to permit persons to erect gates across the public road leading from Irvine to Beattyville;

An act to empower the county court of Lawrence county to levy an additional tax in said county, and for other purposes;

An act for the benefit of the clerk of the Breathitt county court;

An act to require the clerk of the Green county court to index and cross-index certain deed-books in Green county;

An act for the benefit of R. B. McCall, administrator of J. W. Riley, deceased;

An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company;

An act to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868;

An act to authorize the late judge of the Kenton county court to enter and sign certain judgments, orders, and returns, and to legalize the same;

An act to amend section 3, article 3, chapter 17, of Revised Statutes;

An act to amend an act, entitled "An act for the benefit of the county court of Union county," approved February, 1871;

An act to authorize and empower the Bedford Division, Sons of Temperance, to sell and convey its real estate;

An act to exclude Crab Orchard Springs from the limits of Crab Orchard;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to appropriate money.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following sums of money are hereby appropriated to the following persons, to be paid by the Treasurer out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor, viz :

§ 2. To the Speakers of the Senate and House of Representatives, ten dollars each per day, during the present adjourned session of the General Assembly.

§ 3. To the principal Clerks of the Senate and House of Representatives, ten dollars each per day, during the present adjourned session of the General Assembly, and the same for such time as may be necessary, not exceeding fifteen days after the adjournment, for preparing the acts for publication.

§ 4. To the Assistant Clerks, each ten dollars per day, during the present adjourned session.

§ 5. To the Sergeant-at-Arms of Senate and House of Representatives, each eight dollars per day, during the present adjourned session.

§ 6. To the Door-keepers of the Senate and House of Representatives, each eight dollars per day, during the present adjourned session.

§ 7. To Isaac Wingate, jr., and D. D. Sublett, Clerks of the Enrolling Committees of the Senate and House of Representatives, eight dollars each per day, during the present adjourned session.

§ 8. To the Pages of the Senate and House of Representatives, three dollars each per day, during the present adjourned session.

§ 9. To the Ministers of the Gospel of Frankfort, three hundred dollars, to be drawn and distributed among them by J. A Grant, Sergeant-at-Arms of the Senate.

§ 10. To James M. Hines, Sergeant-at-Arms of the House of Representatives, for the benefit of Henry Morton, two dollars and fifty cents per day; and for the benefit of Daniel Morton, two dollars and fifty cents per day, during present adjourned session, for waiting on the House of Representatives; and for the benefit of David Haly, three dollars per day, during present adjourned session, for waiting on the "cloak-room."

§ 11. To J. A. Grant, Sergeant-at-Arms of the Senate, for the benefit of Charles R. Lee, two dollars and fifty cents; and for the benefit of Lewis Harris, two dollars and fifty cents, each per day, during present adjourned session, for waiting on the Senate.

§ 12. To G. B. Crittenden, Librarian, for the benefit of James Coleman, two dollars and fifty cents per day, for waiting on the "back capitol," and for the benefit of Johnson Butler, two dollars and fifty cents per day, for sawing wood for General Assembly, during present adjourned session.

§ 13. To D. L. Haly, twelve dollars and thirty-five cents ($12 35), for sundries furnished General Assembly.

§ 14. To J. G. Hatchitt, fourteen dollars, for postage on newspapers furnished members General Assembly.

§ 15. To Ed. Butler, ten dollars, for carpentering and plastering in Hall House of Representatives.

§ 16. To Frankfort Commonwealth Printing Company, seventy-five dollars, for copies Weekly Commonwealth furnished members General Assembly.

§ 17. To Rodman & Bro., twenty-five dollars and sixty-five cents, for rug and carpet on Hall House of Representatives.

§ 18. To M. E. Jett, forty-two dollars and twenty-five cents, for work done on furniture for General Assembly.

§ 19. To W. H. Averill, one dollar and seventy-five cents, for articles furnished General Assembly.

§ 20. To R. M. Gosney, five dollars, for resetting mantel in Senate Chamber.

§ 21. To John M. Helms, eight dollars and forty cents, for articles furnished General Assembly.

§ 22. To Patrick Doyle, three dollars, for putting glass in doors of Senate Chamber.

§ 23. To R. M. Gosney, ten dollars, for repairing fire-place in Senate Chamber.

§ 24. To W. M. Davis, two dollars and sixty-five cents, for articles furnished General Assembly.

§ 25. To John N. Crutcher, eight dollars, for articles furnished General Assembly.

§ 26. To Rodman & Bro., twenty-five dollars and sixty cents, for articles furnished General Assembly.

§ 27. To J. A. Grant, Sergeant-at-Arms of Senate, twenty-seven dollars, for expenses to Louisville and return, under orders of the Senate.

§ 28. To publishers Franklin Sentinel, five dollars, for four copies Sentinel.

§ 29. To publishers Uniontown Democrat, two dollars and fifty cents, for two copies Democrat.

§ 30. To publisher Mt. Sterling Sentinel, one dollar and twenty-five cents, for one copy Sentinel.

§ 31. To publisher Lexington Press, one hundred and twenty-three dollars, for forty-one copies Daily Press.

§ 32. To Marrs & Bruce, seven dollars and fifty cents, for six copies Danville Advocate.

§ 33. To Ed. K. Warren, one dollar and twenty-five cents, for one copy Mayfield Democrat.

§ 34. To publishers Louisville Commercial, thirty-nine dollars, for thirteen copies Daily Commercial.

§ 35. To McChesney & Fisher, three dollars and seventy-five cents, for three copies Western Citizen.

§ 36. To publisher Carlisle Mercury, three dollars and seventy-five cents, for three copies Mercury.

§ 37. To publishers Lexington Observer and Reporter, twenty-two dollars and fifty cents, for nine copies Tri-Weekly Observer and Reporter.

§ 38. To Matthis & Bell, two dollars and fifty cents, for two copies Elizabethtown News.

§ 39. To Thomas S. Pettit, six dollars and twenty-five cents, for five copies Owensboro Monitor.

§ 40. To John C. Noble, twelve dollars and fifty cents, for five copies Paducah Tri-Weekly Herald.

§ 41. To publisher Hickman Courier, two dollars and fifty cents, for two copies Courier.

§ 42. To publisher Columbus Dispatch, one dollar and twenty-five cents, for one copy Dispatch.

§ 43. To publisher Covington Journal, two dollars and fifty cents, for two copies Journal.

§ 44. To publisher Big Sandy Herald, ten dollars, for eight copies Herald.

§ 45. To publisher Richmond Register, two dollars and fifty cents, for two copies Register.

§ 46. To J. J. Miller, two dollars and fifty cents, for two copies Lexington Home Journal.

§ 47. To O. C. Rhea, two dollars and fifty cents, for two copies Russellville Herald.

§ 48. To Tho. M. Bowers, three dollars and seventy-five cents, for three copies Kentucky Times.

§ 49. To publisher Cynthiana Democrat, three dollars and seventy-five cents, for three copies Democrat.

§ 50. To publisher Kentucky People, three dollars and seventy-five cents, for three copies People.

§ 51. To publisher Lexington Statesman, two dollars and fifty cents, for two copies Statesman.

§ 52. To J. G. Craddock, two dollars and fifty cents, for two copies Paris True Kentuckian.

§ 53. To publisher Woodford Weekly, two dollars and fifty cents, for two copies Weekly.

§ 54. To publisher Jeffersonian Democrat, seven dollars and fifty cents, for six copies Democrat.

§ 55. To publisher Glasgow Times, two dollars and fifty cents, for two copies Times.

§ 56. To publisher Columbia Spectator, five dollars, for four copies Spectator.

§ 57. To publisher Maysville Bulletin, three dollars and seventy-five cents, for three copies Bulletin.

§ 58. To publisher Paducah Kentuckian, eighteen dollars, for six copies Daily Kentuckian.

§ 59. To publisher Flemingsburg Democrat, two dollars and fifty cents, for two copies Democrat.

§ 60. To publishers Louisville Sun, twelve dollars, for four copies Daily Sun.

§ 61. To Evans & Baker, six dollars and twenty-five cents, for five copies Bowling Green Democrat.

§ 62. To publisher Cincinnati Chronicle, six dollars, for two copies Daily Chronicle.

§ 63. To J. G. Ford, two dollars and fifty cents, for two copies Southern Shield.

§ 64. To the principal Clerks of the Senate and House of Representatives, such sums as they may certify, on oath, to the Auditor as due for enrolling bills and resolutions.

§ 65. To L. Tobin, thirty-one dollars, for articles furnished General Assembly.

§ 66. To S. Goin, forty-five dollars, for ice furnished General Assembly.

§ 67. To Mrs. M. B. Combs, one dollar and fifty cents, for making mail-bags for General Assembly.

§ 68. To W. H. Stanley, four hundred and twenty-three dollars and ninety-five cents ($423 95), for newspapers furnished General Assembly.

§ 69. To D. L. Price, two hundred and twenty-seven dollars and sixty cents ($227 60), for expenses of Committee on Charitable Institutions, while visiting Eastern and Western Lunatic Asylums, under order of the House of Representatives.

§ 70. To A. C Vallandingham, one hundred and ten dollars, for expenses of Committee on Charitable Institutions, while visiting Lunatic Asylums, under order of the Senate.

§ 71. To Mrs. Henry Morton, five dollars, for washing towels for General Assembly.

§ 72. To the Clerk of the House of Representatives, five dollars per day, from the 10th day of March to the close of this session, to pay for assistant clerk hire, under resolution of the House.

§ 73. To H. I. Todd, four dollars and fifty cents, for articles furnished General Assembly.

§ 74. To Mrs. Lettie Harris, five dollars, for washing towels for Senate.

§ 75. To S. I. M. Major, four hundred and fifty dollars, for Daily Frankfort Yeoman furnished General Assembly.

§ 76. To Louisville Courier-Journal Printing Company, four hundred and eighty dollars, for Daily Courier-Journals furnished General Assembly.

§ 77. To Wm. B. Hawkins, five dollars per day, for his services as Assistant Clerk of the Senate, during the sickness of the Chief Clerk; the time of service to be certified by J. A. Munday, Chief Clerk of Senate.

§ 78. That ten dollars be allowed State Librarian for postage.

§ 79. To the Louisville Ledger Company, one hundred and fifty dollars, for papers furnished General Assembly.

§ 80. This act shall take effect from its passage.

Mr. Perrin moved to amend said bill by inserting, as an additional section, the following, viz :

§ —. To the editor of the Cynthiana News $2 50, for two copies of News.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Edwin Hawes,	E. D. Standeford,
F. M. Allison,	J. B. Hayden,	A. G. Talbott,
A. K. Bradley,	John W. Johnson,	H. A. Tyler,
R. A. Burton,	A. L. McAfee,	W. L. Vories,
W. H. Chelf,	W. H. Payne,	Ben. J. Webb,
J. Q. Chenoweth,	Lewis Perrin,	Emery Whitaker,
John B. Clarke,	I. A. Spalding,	Thos. Wrightson—22.
J. H. Dorman,		

Those who voted in the negative, were—

Lyttleton Cooke,	Oscar Turner,	I. C. Winfrey—4.
William Johnson,		

Resolved, That the title of said bill be as aforesaid.

Mr. Talbott read and laid on the table the following joint resolutions.

The rule of the Senate being dispensed with, said resolutions were taken up and read as follows, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the thanks of the Democratic party throughout the Union are due the gallant Democracy of New Hampshire, for the heroic battle fought and glorious victory won in their recent State election.

2. That we hail it not only as an emphatic veto upon the foul usurpations and corrupt and subversive policy of the dominant party now administering the Federal Government, but as an earnest of the signal triumph that awaits truth over error in the approaching Presidential election; and we congratulate ourselves and the whole country at the renewed evidence this gives that the people are capable of self-government, and are ready and willing to desert and denounce the standard of a mercenary military despotism, and rally around and maintain intact their rightful and inestimable heritage of constitutional liberty.

3. That the Secretary of State transmit a copy of these resolutions to the Governor elect of the State of New Hampshire.

Mr. Wm. Johnson moved that said resolutions be referred to the Committee on the Judiciary, with instructions to report to-morrow.

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Holt),	J. B. Hayden,	Ben. J. Webb,
John B. Clarke,	William Johnson,	Emery Whitaker,

Lyttleton Cooke, I. A. Spalding, Thos. Wrightson—10.
Edwin Hawes,

Those who voted in the negative, were—

Jos. M. Alexander, J. H. Dorman, Oscar Turner,
F. M. Allison, John W. Johnson, H. A. Tyler,
A. K. Bradley, A. L. McAfee, A. C. Vallandingham,
R. A. Burton, W. H. Payne, W. L. Vories,
W. H. Chelf, Lewis Perrin, I. C. Winfrey—17.
J. Q. Chenoweth, A. G. Talbott,

Mr. Wrightson moved that said resolutions be referred to a select committee, with instructions to report to-day.

The question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said resolutions, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wrightson and Burton, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Holt), J. H. Dorman, A. G. Talbott,
Jos. M. Alexander, J. B. Hayden, Oscar Turner,
F. M. Allison, John W. Johnson, H. A. Tyler,
A. K. Bradley, A. L. McAfee, W. L. Vories,
R. A. Burton, Lewis Perrin, Ben. J. Webb,
W. H. Chelf, I. A. Spalding, Emery Whitaker,
J. Q. Chenoweth, E. D. Standeford, I. C. Winfrey—22.
John B. Clarke,

In the negative, Thos. Wrightson—1.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of Pope & Camp, of Louisville.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and W. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Holt), J. H. Dorman, E. D. Standeford,
Jos. M. Alexander, Edwin Hawes, A. G. Talbott,
F. M. Allison, J. B. Hayden, H. A. Tyler,
A. K. Bradley, Wm. Johnson, W. L. Vories,
R. A. Burton, John W. Johnson, Ben. J. Webb,
W. H. Chelf, A. L. McAfee, Emery Whitaker,
J. Q. Chenoweth, W. H. Payne, I. C. Winfrey,

John B. Clarke, Lewis Perrin, Thos. Wrightson—26.
Lyttleton Cooke, I. A. Spalding,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration an amendment proposed by the House of Representatives, to a bill from the Senate, entitled

An act to amend the charter of the town of Mayfield.

The question was then taken on concurring in said amendment, and it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to change the time of payment of the revenue into the State Treasury, and amend the revenue laws.

On motion of Mr. Spalding,

Ordered, That the further consideration of said bill be postponed until Monday next.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Ordered, That the further consideration thereof be postponed until Monday next.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to tax railroads, turnpike roads, and other corporations in aid of the sinking fund," approved February 20th, 1864.

Ordered, That said bill be recommitted to the Committee on the Sinking Fund.

Leave of indefinite absence was granted to Messrs. Chelf and Standeford.

Mr. Standeford, from the Committee on Internal Improvement, reported a bill, entitled

A bill for the benefit of Charles S. W. Dorsey, of the county of Jefferson.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for Charles S. W. Dorsey, of the county

of Jefferson, to dispose of his brewery and lot, with all the appurtenances and fixtures, known as the United States Brewery, in the city of Louisville, on Market street, between Campbell and Wenzel streets; his house and lot at the northeast corner of Jefferson and Wenzel streets; his stock in the Farmers and Drovers' Bank in said city; his stock in the Louisville and Jefferson County Turnpike Road Company, and his stock in the Louisville and Jefferson County Agricultural Association, in shares, and for that purpose may issue, by himself or agents, as many certificates representing portions of said brewery and lot, fixtures, &c., and said house and lot and stock, or blanks, as he may deem proper.

§ 2. That Philip D. Barbour, W. D. S. Taylor, and E. D. Standeford, of the county of Jefferson; W. C. D. Whips and W. C. Hite, of the city of Louisville; and J. S. Crutchfield and Samuel E. DeHaven, of the county of Oldham. be, and they are hereby, appointed commissioners, a majority or all of whom may act, whose duty it shall be to determine, by lot, to what shareholder or shareholders any part or portion or parts or portions of said brewery and lot, with its appurtenances and fixtures, said house and lot, and stocks, or either, shall belong, and to whom the title thereto shall be made, and to do and perform each and every act as they, in their opinion, shall deem necessary or proper to carry out the provisions of this act.

§ 3. This act shall take effect from its passage.

Mr. Wm. Johnson moved to amend said bill by adding, as an additional section, the following, viz:

§ —. That Mrs. Thomas J. Fisher and her daughter, Mrs. Mollie Gray, shall have the privilege of disposing of their house, and tract of land on which it is situated, in Nelson county, as provided in this act for the benefit of Charles S. W. Dorsey; and W. W. George, jr., C. P. Mattingly, Samuel Gray, and William Wilson, are hereby appointed commissioners to superintend the disposing of said property as authorized by this act.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. William Johnson and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton, Wm. Johnson, Thos. Wrightson—4.
J. B. Hayden,

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	Oscar Turner,
F. M. Allison,	Edwin Hawes,	A. C. Vallandingham,
A. K. Bradley,	John W. Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	Lewis Perrin,	Emery Whitaker,
John B. Clarke,	I. A. Spalding,	I. C. Winfrey—17.
Lyttleton Cooke,	E. D. Standeford,	

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. William Johnson and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	J. B. Hayden,	Oscar Turner,
A. K. Bradley,	I. A. Spalding,	A. C. Vallandingham,
R. A. Burton,	E. D. Standeford,	Ben. J. Webb,
J. Q. Chenoweth,	A. G. Talbott,	I. C. Winfrey—13.
Lyttleton Cooke,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	John W. Johnson,
W. H. Chelf,	Edwin Hawes,	W. H. Payne,
John B. Clarke,	William Johnson,	Thos. Wrightson—9.

Resolved, That the title of said bill be as aforesaid.

And then the Senate adjourned.

SATURDAY, MARCH 18, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to appropriate money.

An act to prohibit the sale of intoxicating liquors in the county of Bullitt.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Murray common school district, in Calloway county.

An act to amend an act, entitled "An act to authorize the Louisville chancery court, the Jefferson circuit and county courts, to increase the compensation of the surveyor of Jefferson county in certain cases."

An act to further increase the resources of the sinking fund of the city of Louisville.

An act to incorporate the Grayson Springs and Grayson Springs Station Turnpike Road Company, in Grayson county.

That they had concurred in the adoption of a resolution, entitled Resolution in regard to Democratic victory in New Hampshire.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, and malt liquors in the village of Paint Lick, in Garrard county.

An act to prevent the sale of spirituous, vinous, or malt liquors as a beverage in the county of Jackson.

An act to amend the charter of the town of Cromwell, in Ohio county.

An act to incorporate a steam ferry company at the mouth of the Ohio river, in Ballard county.

An act to amend the charter of the town of Mayfield.

An act to incorporate the town of Tollsboro.

An act for the benefit of Thomas Monarch, late tax collector of Daviess county.

An act to authorize the city of Dayton, in Campbell county, to establish common school system.

An act to incorporate the Quick's Run and Stout's Landing Turnpike Company.

An act for the benefit of manufacturing, furnace, and mining establishments in the counties of Greenup, Boyd, Carter, and Lawrence.

An act for the benefit of E. B. Treadway, former sheriff of Owsley county.

An act to extend and enlarge the corporate limits of the town of South Carrollton, in Muhlenburg county.

An act to amend 2d section of an act, entitled "An act to amend the charter of the town of Springfield."

That they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes, in this State," approved March 21, 1870, and an act, entitled "An act granting pre-

miums on red and gray foxes, wolves and wild cats' scalps in this State," approved February 17, 1866.

2. An act to appropriate money, and provide for the erection of an additional building at the Eastern Lunatic Asylum.

3. An act to amend an act, entitled "An act to incorporate the Louisville and Chattanooga Grand Trunk Railroad."

4. An act to restrict the granting of license to sell spirituous, vinous, or malt liquors, and the sale thereof, in the town of Litchfield, or within one mile of the court-house therein.

5. An act to repeal the act creating Urania school district, in Barren county.

6. An act to amend an act, entitled "An act to incorporate the Kentucky Central Railroad Company."

7. An act to authorize the county court of Scott county to borrow money to build a jail.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were referred to the Committee on Finance; the 3d to the Committee on Railroads; the 4th to the Committee on Religion and Morals; the 5th to the Committee on Education; and the 6th and 7th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the late judge of the Kenton county court to enter and sign certain judgments, orders, and returns, and to legalize the same.

An act for the benefit of the clerk of the Breathitt county court.

An act for the benefit of R. B. McCall, administrator of J. W. Riley, deceased.

An act for the benefit of Logan county.

An act to further protect the owners of stock living along the line of railways.

An act for the benefit of A. C. Cox, late sheriff of Green county.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Turner, from the Committee on the Judiciary—

1. An act to incorporate the town of Morses, in Graves county.

By Mr. Cooke, from same committee—

2. An act to amend the charter of the city of Louisville.

By Mr. Talbott, from the Committee on Railroads—

3. An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville."

By same—

4. An act to amend the charter of the Licking and Big Sandy Railroad Company.

By same—

5. An act to amend the charter of the Beargrass Transportation Company.

By same—

6. An act to amend the charter of the Elizabethtown and Paducah Railroad Company, approved March 5th, 1867.

By Mr. Burton, from the Committee on Finance—

7. An act concerning the pay of the officers of the Court of Appeals.

By same—

8. An act to except Clark county from the provisions of an act entitled "An act in relation to submitting questions of taxation to a vote of the people."

By same—

9. An act to increase the county levy of Cumberland county for county purposes.

By same—

10. An act to provide for the collection of railroad tax in Montgomery county.

By same—

11. An act for the benefit of Shadrach Combs, sheriff of Letcher county, and his sureties, for the year 1869.

By Mr. Hawes, from the Committee on Privileges and Elections—

12. An act providing for comparing the polls for the election of Representatives to the General Assembly in the counties of Breathitt, Wolfe, and Powell.

By same—

13. An act to authorize the election of town officers for Mackville, Washington county.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

14. An act to amend section 1, chapter 99, of the Revised Statutes.

By same—

15. An act to authorize Thos. B. McGowan, jailer of Fayette county, to appoint a deputy jailer.

By same—

16. An act to amend the charter of the town of Millersburg, in Bourbon county.

By same—

17. An act to amend the charter of the town of Brooksville, in Bracken county.

By same—

18. An act to authorize the trustees of the town of Cloverport to sell and convey parts of certain streets.

By same—

19. An act to extend the corporate limits of the town of Hazelgreen, in Wolfe county.

By same—

20. An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways," approved February 20th, 1869.

By Mr. Spalding, from the Committee on Finance—

21. An act for the benefit of Benj. D. Beall, clerk of the Campbell circuit court.

By Mr. W. Johnson, from the Committee on the Judiciary—

22. An act to amend the charter of the town of New Castle, Henry county.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

23. An act to amend section 1, article 1, chapter 84, Revised Statutes, title, "Roads and Passways."

By Mr. Turner, from the Committee on the Judiciary—

24. An act to prohibit the carrying of concealed deadly weapons.

With amendments to the 22d, 23d, and 24th of said bills.

Which were adopted.

The 21st having been made the special order of the day for the 21st instant,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Cooke, from the Committee on the Judiciary—

1. A bill for the better organization of public schools in Elizabethtown, and to establish the common school district of Elizabethtown, in Hardin county.

By Mr. W. Johnson, from same committee—

2. A bill incorporating the Montgomery Manufacturing Company.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

3. A bill to amend the charter of the town of Murray.

By same—

4. A bill in relation to examining courts.

By Mr. Talbott, from a select committee—

5. A bill concerning the sale of stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 5th of said bills be made the special order of the day for Monday next, and that the 1st, 2d, 3d, and 4th be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom same were referred, with the expression of opinion that said bills ought not to pass, viz:

By Mr. Wm. Johnson, from the Committee on the Judiciary—

An act to incorporate the district of Hayfield, in Campbell county.

By Mr. Bradley from the Committee on Revised Statutes and Codes of Practice—

An act to relieve sheriffs and other officers from penalties for failure to execute process in certain cases.

By same—

An act to amend the charter of the town of Taylorsville.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, with the expression of opinion that they could not be considered, except in violation of Rule 81, viz:

An act to change the boundary of Benson precinct, in Franklin county.

An act to establish an additional voting precinct in Washington county.

An act to incorporate Napoleon Lodge, No. 216, of Ancient York Masons.

An act to incorporate Canton Lodge, No. 132, of the Independent Order of Good Templars.

An act to incorporate the Constant Friends Lodge, No. 187, Independent Order of Odd Fellows.

An act to incorporate the Helvetia Society, of Louisville.

An act to incorporate Crab Orchard Lodge, No. 108, I. O. O. F.

An act to incorporate the Teutonia Maeunerchor, of Louisville.

An act to incorporate the Knights of the Order of St. Crispin.

An act to incorporate Mephebosheth Lodge, No. 184, I. O. O. F., at Princton.

An act to incorporate the Orphans' Home Lodge, No. 178, I. O. O. F.

An act to incorporate Canton Lodge, No. 170, Independent Order of Odd Fellows.

An act to incorporate the Louisville Fireman's Benevolent Association.

An act to incorporate the Walnut Street Market-house Company.

An act to incorporate the Machinists' and Blacksmiths' Benevolent Society, of Louisville.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act concerning the First Presbyterian Church of Shelbyville, to legalize a division of the property of said church, and to incorporate the divided parties in said church;

An act to amend the charter of the Deposit Bank of Frankfort;

An act to amend an act approved March 15th, 1869, abolishing the Board of Internal Improvement;

An act for the benefit of N. B. Campbell, of Josh Bell county;

An act for the benefit of James Faircloth, of Mercer county;

An act to appropriate money;

An act to repeal all laws restricting the sale of hides or pelts in Shelby county;

An act for the benefit of Robert A. Marical, of Josh Bell county;

An act for the benefit of S. B. Huey, of Boone county;

An act to incorporate the Warehouse Banking Company;

An act for the benefit of J. W. Hazelrigg, and the heirs of E. E. Duke, deceased;

An act for the benefit of E. Kirby Smith;

An act to incorporate the Campbell County Kentucky Bank;

An act to appropriate money to the Western Lunatic Asylum;

An act to change the time of holding the county and quarterly courts of Fulton county;

An act for the benefit of the surveyor of Harlan county;

An act to allow the county court of Oldham county to issue bonds for turnpike road purposes;

An act to amend an act, entitled "An act for the benefit of the county of Fleming," approved February 17th, 1871;

An act to amend an act, entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, &c.," approved February 7th, 1868;

Resolutions on the death of Hon. Daniel Breck;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to establish a chancery court for the counties of Campbell, Kenton, Bracken, and Pendleton;

An act to amend the charter of the town of Mayfield;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

Mr. Payne presented the petition of citizens of Warren county, asking the repeal of road law in Warren county.

Which was received, the reading dispensed with, and referred to the Committee on Courts of Justice.

Mr. Turner offered the following resolution, viz:

WHEREAS, The late Governor's annual message and the Auditor's Report show that the resources or assets in the Sinking Fund far exceed the entire indebtedness of this State; and whereas, in addition to this, it appears from the said message that there is due from the United States a balance of $1,193,761 86, thus showing an excess very large in our resources over the entire indebtedness of this State; therefore, be it

Resolved, That H. A. Tyler, A. K. Bradley, A. G. Talbott, J. B. Hayden, and R. A. Burton, be appointed a special committee, with instructions to report whether the indebtedness of this State cannot be immediately paid off and the taxes decreased; and that they also ascertain and report at what rate the undue State bonds can be purchased and paid off, by selling the assets in the Sinking Fund; said committee to report as soon as practicable by bill or otherwise.

The question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	I. A. Spalding,
Jos. M. Alexander,	W. McKee Fox,	A. G. Talbott,
F. M. Allison,	Edwin Hawes,	Oscar Turner,
A. K. Bradley,	J. B. Hayden,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
J. Q. Chenoweth,	W. H. Payne,	Emery Whitaker,
John B. Clark,	Lewis Perrin,	Thos. Wrightson—21.

Those who voted in the negative, were—

Lyttleton Cooke,	Ben. J. Webb,	I. C. Winfrey—4.
William Johnson,		

70-s.

Mr. Cooke offered the following resolution, viz:

Resolved, That Messrs. Oscar Turner and W. H. Payne be added to the committee provided for in the resolution directing inquiry whether the indebtedness of the State cannot be immediately paid off and taxes decreased, &c., just adopted.

Which was adopted.

On motion of Mr. Allison, a message was sent to the House of Representatives, to ask leave to withdraw therefrom the announcement of the Senate's disagreement to a bill, originating therein, entitled

An act to prevent the sale of spirituous liquors in the town of Middleburg, Casey county.

Said bill having been handed in at the Clerk's desk, after a short time Mr. Allison moved that the vote by which the Senate had disagreed to said bill be reconsidered.

Which motion was entered only.

Ordered, That Mr. McAfee be added to the Committee on Railroads.

Mr. Alexander, from the Committee on the Sinking Fund, to whom was recommitted a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to tax railroads, turnpike roads, and other corporations in aid of the sinking fund," approved February 20th, 1864,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 2 of the act, entitled "An act to tax railroads, turnpike roads, and other corporations in aid of the Sinking Fund," be amended by striking out in the third line the word "six," and inserting the word "two."

§ 2. This act to be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Tyler, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	Lewis Perrin,
Jos. M. Alexander,	W. H. Payne,	Emery Whitaker—7.
F. M. Allison,		

Those who voted in the negative, were—

A. K. Bradley,	William Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham
John B. Clarke,	A. L. McAfee,	Ben. J. Webb,
Lyttleton Cooke,	I. A. Spalding,	I. C. Winfrey,
Edwin Hawes,	A. G. Talbott,	Thos. Wrightson—17.
J. B. Hayden,	Oscar Turner,	

So said bill was disagreed to.

On motion of Mr. Vallandingham, the vote was reconsidered by which the Senate disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of the judge of the Todd county and quarterly courts.

The votes by which the third reading of said bill was dispensed with, and by which it was ordered to be read a third time, being also reconsidered,

Mr. Vallandingham moved an amendment as a substitute for said bill.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the judges of the Todd county and quarterly courts be, and they are hereby, authorized to have a partner to practice law in all the courts of this Commonwealth, except courts from which an appeal to their courts could be taken, and the county and quarterly courts of Todd county.

§ 2. This act shall take effect from its passage.

Said amendment reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the judges of the Todd and Harrison county and quarterly courts be, and they are hereby, authorized to have partners to practice law in all the courts of this Commonwealth, except courts from which appeals to their courts could be taken, and the county and quarterly courts of Todd and Harrison counties.

§ 2. This act to take effect from its passage.

The question being taken on the adoption of the amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Tyler, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. L. McAfee,	Oscar Turner,
A. K. Bradley,	W. H. Payne,	A. C. Vallandingham,
R. A. Burton,	Lewis Perrin,	I. C. Winfrey,
J. Q. Chenoweth,	I. A. Spalding,	Thos. Wrightson—13.
W. McKee Fox,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	A. G. Talbott,
Jos. M. Alexander,	Edwin Hawes,	H. A. Tyler,
John B. Clarke,	William Johnson,	Ben. J. Webb,
Lyttleton Cooke,	John W. Johnson,	Emery Whitaker—12.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Wrightson, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. L. McAfee,	Oscar Turner,
A. K. Bradley,	W. H. Payne,	A. C. Vallandingham,
R. A. Burton,	Lewis Perrin,	I. C. Winfrey,
J. Q. Chenoweth,	I. A. Spalding,	Thos. Wrightson—13.
W. McKee Fox,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	A. G. Talbott,
Jos. M. Alexander,	Edwin Hawes,	H. A. Tyler,
John B. Clarke,	Wm. Johnson,	Ben. J. Webb,
Lyttleton Cooke,	John W. Johnson,	Emery Whitaker—12.

Resolved, That the title of said bill be amended to read,

An act for the benefit of the judges of the Todd and Harrison county and quarterly courts.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was referred the message of the Governor in reference to special judges for the Court of Appeals, presented their report.

Which was read as follows, viz:

The Judiciary Committee, to whom was referred the special message of the Governor calling the attention of the Legislature "to the propriety and importance of passing a law providing for the selection or appointment of special judges of the Court of Appeals, to sit and act as such in case of the sickness and inability of the regular judge to act," having considered the subject, beg leave to make the following report:

The recommendation involves a constitutional question. The power to organize courts, and distribute the judicial authority of the State, except so far as it has been done by the Constitution, certainly rests with the Legislature; but the principle is well established, and essential to the fundamental law itself, that where the

Constitution has disposed of the subject by conferring the judicial powers of the State upon certain specified courts, the whole power will be understood to be embraced, and the Legislature, except under some provision of the Constitution itself, cannot vest any portion of it elsewhere.

The Court of Appeals of this State, as well as most of the other courts, though in some respects regulated by law, was established by the Constitution—by the fourth article of which the number of its judges, their qualifications, their terms of office, and the mode and manner of their election or appointment in certain cases, are all distinctly and specifically prescribed. The fifteenth section of said article declares, "The General Assembly shall provide for an additional judge or judges, to constitute, with the remaining judge or judges, a special court for the trial of such cause or causes as may, at any time, be pending in the Court of Appeals, on the trial of which a majority of the judges cannot sit on account of interest in the event of the cause; or on account of their relationship to either party; or when a judge may have been employed in or decided the cause in the inferior court."

Under this provision of the Constitution the Legislature enacted the following law, to-wit:

"Whenever a majority of the judges cannot sit on the trial of a cause or causes pending in said court, for the reasons prescribed in the Constitution, the Governor shall select a judge or judges from the members of the bar, or circuit judges of the State, to act with the other judges, as the court, in hearing and deciding such cause or causes; and the court so organized may meet and adjourn from day to day until it disposes of its business." (*Revised Statutes, chapter* 27, *article* 4, *section* 1, *volume* 1, *page* 307.)

Can the Legislature go further and provide for creating judges for any cause other than those enumerated in the Constitution, or has it exhausted its constitutional power in the foregoing enactment?

The provision of the Constitution in relation to circuit courts is very different from that relating to the Court of Appeals. The 28th section of the 4th article provides:

"The General Assembly shall provide by law for holding circuit courts, when, from any cause, the judge shall fail to attend, or, if in attendance, cannot properly preside."

But although the provisions of the Constitution in relation to supplying the place of circuit judges are more general and compre-

hensive, it does not seem to even contemplate the substitution of a special judge for one of the judges of the Court of Appeals on account of the sickness of the latter, or for any other reason than some one of those already mentioned.

It may be said, that, while the Constitution does not authorize the proposed legislation, it does not, in express terms, prohibit it; but as it is a general rule that every positive constitutional direction contains an implication against everything contrary to it, or which would frustrate or disappoint the purpose of that provision, manifestly the appointment of additional judges of the Court of Appeals in a mode, and under circumstances, inconsistent with those provided for by the Constitution, and in certain contingencies creating judges not contemplated by it, would be violative of both its letter and spirit.

Believing that the Legislature has no constitutional power to provide "for the selection or appointment of special judges of the Court of Appeals, to sit and act as such in case of the sickness and inability of the regular judge to act," we respectfully ask to be discharged from the further consideration of the subject.

OSCAR TURNER, *Chairman.*
WILLIAM JOHNSON,
W. H. PAYNE,
LYTTLETON COOKE.

Ordered, That said committee be discharged from the further consideration of said message.

Mr. Turner, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and W. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	Edwin Hawes,	Oscar Turner,
John B. Clarke,	John W. Johnson,	H. A. Tyler,

Lyttleton Cooke,	W. H. Payne,	Ben. J. Webb,
J. H. Dorman,	I. A. Spalding,	I. C. Winfrey—14.
W. McKee Fox,	A. G. Talbott,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. B. Hayden,	Emery Whitaker,
Jos. M. Alexander,	William Johnson,	Thos. Wrightson—7.
J. Q. Chenoweth,		

Resolved, That the title of said bill be as aforesaid.

Mr. Burton, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Joel W. Sallee,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Holt),	John B. Clarke,	A. G. Talbott,
Jos. M. Alexander,	J. H. Dorman,	A. C. Vallandingham,
R. A. Burton,	A. L. McAfee,	Emery Whitaker,
J. Q. Chenoweth,	I. A. Spalding,	I. C. Winfrey—12.

Those who voted in the negative, were—

A. K. Bradley,	William Johnson,	Oscar Turner,
Edwin Hawes,	John W. Johnson,	H. A. Tyler—8.
J. B. Hayden,	Lewis Perrin,	

Resolved, That the title of said bill be as aforesaid.

Mr. Cooke, from the Committee on the Judiciary, to whom was referred an amendment proposed by the House of Representatives, to a bill originating in the Senate, entitled

An act to amend the charter of the city of Covington,

Reported that said amendment should be concurred in.

The question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Cooke, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents," approved February 15th, 1869,

Reported the same with amendments.

Which were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was recommitted a bill, which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21st, 1870,

Reported the same, with the expression of opinion that it ought not to pass.

Mr. J. W. Johnson moved an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wm. Johnson, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled.

An act for the benefit of Green McCracken, of Laurel county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Wrightson moved that the vote be reconsidered by which the Senate disagreed to a bill from the House of Representatives, entitled

An act to incorporate the district of Hayfield, in Campbell county.

Which motion was entered only.

Mr. W. Johnson, from the Committee on the Judiciary, reported a bill, entitled

A bill for the benefit of Mrs. Thomas J. Fisher and her daughter, Mrs. Mollie Gray.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Mrs. Tho. J. Fisher and her daughter, Mrs. Mollie Gray, shall have the privilege of disposing of, by lottery, their house and tract of land on which said house is situated, near Bardstown, and for this purpose tickets may be sold, and the drawing of said lottery conducted, by W. W. George, jr., Dr. C. P. Mattingly, Wm. Nelson, and Samuel Gray, who are hereby appointed commissioners for the purpose of carrying this act into effect, which shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Talbott, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	W. McKee Fox,	I. A. Spalding,
R. A. Burton,	J. B. Hayden,	A. G. Talbott,
J. Q. Chenoweth,	William Johnson,	Ben. J. Webb,
Lyttleton Cooke,	A. L. McAfee,	I. C. Winfrey—12.

Those who voted in the negative, were—

Jos. M. Alexander,	W. H. Payne,	H. A. Tyler,
J. H. Dorman,	Lewis Perrin,	A. C. Vallandingham,
Edwin Hawes,	Oscar Turner,	Thos. Wrightson—10.
John W. Johnson,		

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration bills from the Senate of the following titles, viz:

A bill to prevent illegal voting in this Commonwealth.

A bill to pay military claims audited by the Quarter-Master General.

Ordered, That said bills be made the special order of the day for Monday next.

Mr. Cooke, from the Committee on the Judiciary, reported a bill, entitled

A bill for the benefit of the sheriff of Jefferson county

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sheriff of Jefferson county shall be allowed two ($2) dollars per day in each, the Jefferson circuit court and common pleas court, for his attendance by himself or deputies in said courts, the number of days of said service to be certified to the Auditor of Public Accounts by the judge of the respective courts.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	Lewis Perrin,
Jos. M. Alexander,	W. McKee Fox,	I. A. Spalding,
A. K. Bradley,	Edwin Hawes,	Oscar Turner,
R. A. Burton,	J. B. Hayden,	Ben. J. Webb,
J. Q. Chenoweth,	Wm. Johnson,	I. C. Winfrey,
John B. Clarke,	John W. Johnson,	Thos. Wrightson—20.
Lyttleton Cooke,	W. H. Payne,	

In the negative, H. A. Tyler—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Talbott, from a select committee, reported a bill, entitled

A bill for the benefit of Mrs. Matilda Taylor, of Boyle county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative—four fifths not having voted therefor.

The yeas and nays being required thereon by Messrs. Bradley and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	William Johnson,	H. A. Tyler,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
J. Q. Chenoweth,	Lewis Perrin,	Emery Whitaker,
John B. Clarke,	I. A. Spalding,	I. C. Winfrey,

W. McKee Fox, A. G. Talbott, Thos. Wrightson—17.
J. B. Hayden, Oscar Turner,

Those who voted in the negative, were—

Mr. SPEAKER (Holt), J. H. Dorman, Ben. J. Webb—5.
A. K. Bradley, Edwin Hawes,

Ordered, That said bill be placed in the orders of the day.

Mr. Burton, from the Committee on Finance, to whom had been referred the amendment proposed by the House of Representatives, to a bill from the Senate, entitled

An act to authorize and provide for the erection of a new court-house and clerks' offices in Fayette county,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a bill, entitled

A bill for the benefit of the tax-payers of Jessamine county.

Ordered, That the further consideration thereof be postponed until Monday next.

Mr. Burton, from the Committee on Finance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills,

Reported the same, with an amendment as a substitute for said bill.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the provisions of an act, approved January 13th, 1870, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth, having uncollected fee bills," shall apply to and embrace all former clerks, sheriffs, and other civil officers in this Commonwealth having uncollected fee bills.

§ 2. That said act shall continue in force for two years from and after the 12th day of February, 1871: *Provided, however*, That the provisions of this act shall apply to clerks and sheriffs now in office.

§ 3. This act shall take effect from and after its passage.

Said amendment reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all civil officers of this Commonwealth, now or heretofore in office, or their personal representatives, shall have the further time of two years, from the first day of April, 1871, to collect and distrain for their uncollected fee bills, subject to all the penalties now in force for the illegal issuing and collecting of fee bills.

§ 2. That all present and former sheriffs, tax collectors, and town marshals, and the personal representatives of such as may be dead, shall have the like further time to collect, levy, and distrain for any taxes due them, and which such officers shall have paid over or accounted for; but such officers and their sureties shall be liable for any injury sustained by the tax-payer by reason of any illegal seizure or proceeding under this act.

§ 3. That the provisions of this act shall not extend, apply to, or authorize the collection of any fee bill or tax claim which accrued more than five years before the same was demanded of the person liable therefor, or of his personal representatives.

§ 4. That this act shall take effect and be in force from and after its passage.

Mr. Talbott moved, as an amendment to said amendment, that the word "five," in the third section, be stricken out, and the word "two" inserted in lieu thereof.

Which was adopted.

The question was then taken on the adoption of the amendment proposed by the committee as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holt and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Edwin Hawes,	A. G. Talbott,
A. K. Bradley,	J. B. Hayden,	Oscar Turner,
R. A. Burton,	John W. Johnson,	A. C. Vallandingham,
J. Q. Chenoweth,	A. L. McAfee,	Emery Whitaker,
John B. Clarke,	Lewis Perrin,	I. C. Winfrey—17.
J. H. Dorman,	I. A. Spalding,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Wm. Johnson,	H. A. Tyler—3.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

MONDAY, MARCH 20, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to exempt from taxation the property belonging to the Logan Female Seminary.

An act to regulate the sale of liquors in the town of Camner, Hart county, and within one mile thereof.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company."

An act for the benefit of school district No. 9, in the county of Hancock.

An act to authorize and empower certain persons to close the Harrodsburg and Madison State Road, in Henry county.

An act to amend the charter of the Bowling Green, Hartford, and Ohio Railroad Company.

An act to incorporate the Kentucky Mutual Benefit Association of Physicians.

An act for the benefit of the Southern Stock-yard Company.

An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Claysville, and to levy a tax therefor.

An act to amend an act, entitled "An act to incorporate the High Grove and Sayer's Depot Turnpike Road Company."

An act to amend the charter of the New Castle and Carrollton Turnpike Road, approved 4th February, 1858.

An act to incorporate the Peed and Johnson Turnpike Road Company.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville, Kentucky.

An act to incorporate the Eminence and Smithfield Turnpike Road Company.

An act to prevent the destruction of birds in Jefferson county.

An act to amend the common school law for the county of Jefferson.

An act concerning the city court of Louisville.

An act for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county.

An act to amend an act, entitled "An act for the benefit of John G. Jackson," approved March 9, 1867.

An act in relation to the town marshal in Hartford, in Ohio county.

An act to amend the charter of the Kentucky Masonic Mutual Life Insurance Company.

An act incorporating the Montgomery Manufacturing Company.

An act to amend the charter of the town of Carrollton, in Carroll county.

An act to incorporate the Barren River Lock and Dam Company.

An act to incorporate the town of Smith's Grove, in Warren county.

An act in relation to examining courts.

An act for the benefit of the personal Representatives of Robert Foster, deceased.

An act to amend the law in relation to county judges, approved February 13, 1868.

With amendments to the last two named bills.

Which were taken up, twice read, and concurred in.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill from the Senate, entitled

An act to amend section 26, chapter 80, of the Revised Statutes, title "Real Estate."

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Hawkins McKee, jailer of Whitley county.

An act to incorporate the Odd Fellows' Hall Company in the town of Nicholasville.

An act for the benefit of W. J. Lisle.

An act for the benefit of M. M. Teager, of Fleming county.

That they had disagreed to the amendments proposed by the Senate, to bills from the House of Representatives, of the following titles, viz:

An act to prohibit the carrying of concealed deadly weapons.

An act for the benefit of Robert Gibbs.

That they had passed bills of the following titles, viz:

1. An act to re-enact an act, entitled "An act to amend article 3, chapter 86, Revised Statutes," approved February 17, 1866.

2. An act for the benefit of More Pickle (colored).

3. An act to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

4. An act for the benefit of the estate of Young E. Hurt, late sheriff of Adair county.

5. An act to incorporate the Rough and Ready and Camdensville Turnpike Road Company.

6. An act to amend an act, entitled "An act incorporating the town of Lawrenceburg."

7. An act to incorporate the Glasgow, Tompkinsville, and Cumberland River Turnpike Road Company.

8. An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow railroad depot, outside the corporate limits of the town of Glasgow.

9. An act to amend the charter of the Big Sandy Navigation and Improvement Company.

10. An act to prevent the sale of spirituous liquors in Bewleyville on the Sabbath day.

11. An act to amend an act to incorporate the Kentucky River Turnpike Road Company.

12. An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company," approved February 27th, 1867.

13. An act for the benefit of R. T. P. Allen and his securities.

14. An act to incorporate the Kentucky Chair Manufacturing Company.

15. An act to incorporate the Farmers' Bank of Webster.

16. An act for the benefit of Thomas Posey, of Henderson county.

17. An act to amend the charter of the New Castle and Kentucky River Turnpike Road Company.

18. An act to authorize the county court of Henry county to publish its proceedings in the county paper.

19. An act for the benefit of Martin Rice, of Hopkins county.

20. An act for the benefit of school district No. 34, in Kenton county.

21. An act relating to the office of school commissioner of the city of Louisville.

22. An act to amend the charter of the city of Paducah.

23. An act to amend an act incorporating the Lagrange and Shelbyville Turnpike Road Company.

24. An act authorizing sheriffs, administrators, &c., of Simpson county, to give notice of sales as such in the newspaper published in said county.

25. An act to incorporate Elkton Lodge, No. 67, I. O. O. F.

26. An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown district, No. 4, in Clark county.

27. An act concerning the revenues due from Wayne county for the year 1863.

28. An act for the benefit of John W. Duncan, sheriff of Wayne county.

29. An act to authorize Edward Hopper to qualify, execute bond, and act as executor of the last will and testament of Seymour Hopkins, deceased.

30. An act for the benefit of William Quillin, of Letcher county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 6th, 24th, 25th, and 30th were referred to the Committee on Revised Statutes and Codes of Practice; the 3d was made the special order of the day for to-day; the 5th, 7th, 11th, 17th, and 23d were referred to the Committee on Internal Improvement; the 8th, 10th, and 26th to the Committee on Religion and Morals; the 13th to the Committee on Military Affairs; the 14th to the Committee on Agriculture and Manufactures; the 18th to the Committee on Courts of Justice; the 20th to the Committee on Education; the 22d to the Committee on the Judiciary; the 29th was placed in the orders of the day; and the 2d, 4th, 9th, 12th, 15th, 16th, 19th, 21st, 27th, and 28th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Hawes, from the Committee on Religion and Morals—

An act to restrict the granting of license to sell spirituous, vinous, or malt liquors, and the sale thereof, in the town of Litchfield, or within one mile of the court-house therein.

By Mr. John W. Johnson, from same committee—

An act to regulate the selling of vinous, malt, or other intoxicating liquors within Elk creek precinct, in Spencer county.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act for the benefit of the Bourbon County Agricultural Society.

By same—

An act to incorporate the Eminence Agricultural and Mechanical Association.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

An act to authorize William Green, of Elliott county, to erect a mill-dam across Little Sandy river.

By Mr. Clarke, from the Committee on Education—

An act for the benefit of the Pendleton Academy.

By same—

An act for the benefit of common school district No. 2, in Montgomery county.

By same—

An act to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869.

By Mr. Spalding, from the Committee on Finance—

An act to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes, in this State," approved March 21, 1870, and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866.

By Mr. Turner, from the Committee on the Judiciary—

An act to charter a steam ferry at the mouth of the Ohio river.

By Mr. Hawes, from the Committee on Religion and Morals—

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county.

By Mr. J. W. Johnson, from same committee—

An act incorporating College Street Presbyterian Church, of Louisville.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to incorporate the Wayne County Agricultural and Mechanical Society.

By Mr. Clarke, from the Committee on Education—

An act to repeal section second of an act to amend the charter of Princeton College.

With amendments to the last four named bills.

Which were adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom same were referred, with the expression of opinion that said bills ought not to pass, viz:

An act to fix the liabilities of Express Companies.

An act prohibiting officers of the State from assisting in the passage or rejection of any bill before the General Assembly.

An act to amend an act, entitled "An act to amend section 4, article 7, chapter 32, of the Revised Statutes."

An act to incorporate the Paducah and Woodville Gravel Road Company.

An act to further amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

An act to authorize McCracken county to subscribe, pay for, and hold stock in any gravel road company whose road or any part shall be made in said county.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had

approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to exclude Crab Orchard Springs from the limits of Crab Orchard.

An act to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868.

An act to require the clerk of the Green county court to index and cross-index certain deed-books in Green county.

An act authorizing the county courts of Estill and Lee to permit persons to erect gates across the public road leading from Irvine to Beattyville.

An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company.

An act to empower the county court of Lawrence county to levy an additional tax in said county, and for other purposes.

An act concerning the poor-house farm of Clark county.

An act to amend section 3, article 3, chapter 17, of Revised Statutes.

An act to authorize and empower the Bedford Division, Sons of Temperance, to sell and convey its real estate.

An act for the benefit of Clay county.

An act to amend an act, entitled "An act for the benefit of the county court of Union county," approved February, 1871.

An act to amend the charter of Mayfield.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Turner, from the Committee on the Judiciary—

A bill to provide for the transfer of cases from the McCracken circuit court to the McCracken court of common pleas, in certain cases.

By same—

A bill supplemental to an act, entitled "An act providing for the completion of the fire-proof offices in the city of Frankfort," approved March 9th, 1871.

By Mr. Cooke, from the Committee on Railroads—

A bill to declare the capital stock in all the railway companies incorporated by the laws of this State personal property.

By Mr. Talbott, from a select committee—

A bill to authorize the board of trustees of the town of Danville to borrow money to pay off the indebtedness of said town.

By Mr. Clarke, from the Committee on Education—

A bill for the better organization of public schools in the city of Bowling Green.

By Mr. Spalding, from the Committee on Revised Statutes and Codes of Practice—

A bill to incorporate the town of Nebo, in Hopkins county.

By same—

A bill to repeal an act, entitled "An act concerning public books, and providing for the supply to destitute counties," approved March 16th, 1869.

By same—

A bill for the benefit of the police judge of Caseyville, in Union county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill, entitled

A bill to improve the navigation of the Big and Little South Forks of Cumberland river.

Ordered, That said bill be made the special order of the day for to-morrow.

Mr. Spalding, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act to appropriate money, and provide for the erection of an additional building at the Eastern Lunatic Asylum,

Asked to be discharged from the further consideration of said bill.

Which was granted.

Ordered, That said bill be made the special order of the day for to-morrow.

The Senate took up for consideration a bill, entitled

A bill to exempt a certain part of the wages of laborers from garnisheement or attachment, or other legal or equitable process, for the collection of debts.

Said bill was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Allison, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to appropriate certain moneys due by the county of Wayne to the Public Treasury in aid of the construction of a certain turnpike road;

An act for the benefit of Knox county;

An act to incorporate the Farmers' and Traders' Bank of Shelbyville;

An act to prohibit the sale of intoxicating liquors in the county of Bullitt;

An act to authorize the condemnation of land for cemetery purposes in Pendleton county;

An act to amend an act, entitled "An act to incorporate the Webster Coal Company," approved March 9, 1867;

An act to incorporate the Henderson Fence Company;

An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company;"

An act to incorporate the Kentucky River Manufacturing Company, in Perry county;

An act to amend an act, entitled "An act to incorporate the Eagle Petroleum and Mineral Company;"

An act to amend the charter of the Kentucky Real Estate and Building Company;

An act to amend an act, entitled "An act to charter the Louisville Naphthaline Steel Manufacturing Company;"

An act to incorporate the Glasgow Cemetery Company;

An act to amend an act, entitled "An act to incorporate the Spring Station Turnpike Road Company;"

An act for the benefit of the Paris and Winchester Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Cynthiana and Millersburg Turnpike Road Company;"

An act for the benefit of the Bridgeport and Farmdale Turnpike Road Company;

An act for the benefit of the Covington and DeCourcey Creek Turnpike Road Company;

An act authorizing the county court of the county of Muhlenburg to release James C. Moorman from his bond, whereby a negro girl, Caroline, was apprenticed to him;

An act to authorize the Pendleton county court to borrow money for certain purposes;

An act to legalize certain acts of the Pendleton county court;

An act for the benefit of John E. Walton, of Boone county;

An act for the benefit of Nelson Whitaker, of Mason county;

An act for the benefit of Wm. D. Dye, of Lincoln county;

An act for the benefit of John M. Fish, of Rockcastle county;

An act for the benefit of A. C. Kincheloe, of Spencer county;

An act authorizing Washington county court to levy an *ad valorem* tax of not exceeding twenty cents on the one hundred dollars to pay the indebtedness of the county on account of turnpike roads;

An act for the benefit of Washington county;

An act to amend an act, entitled "An act for the benefit of the county of Morgan," approved January 17, 1867;

An act appointing commissioners to settle with the county judges of the counties of Knox and Josh Bell, in relation to the tolls received by them from gate-keepers on the Wilderness Turnpike Road;

An act authorizing the judge of the Spencer county court to appoint trustees for the town of Taylorsville, when vacancies occur;

An act authorizing the county court of Washington county to construct a bridge across the Little Beech in said county, and to provide for the payment of same;

An act to authorize the Elliott county court to issue bonds to raise a fund for the erection of the public buildings of said county;

An act to create and regulate the office of county treasurer of Floyd county;

An act to amend an act to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Company;

An act to authorize the county judge of Mason to vote certain stock in the Maysville and Lexington Railroad, Northern Division, at the next annual election for directors;

An act for the benefit of Pope & Camp, of Louisville;

An act appropriating certain lands to the county of Pendleton;

An act to authorize John B. Goff to erect a boom across Big creek, in Martin county;

An act to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company;

An act to incorporate the New Haven and Howard's Mill Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved March 3d, 1851;

An act to incorporate the Sligo and Pendleton Station Turnpike Company;

An act to incorporate the New Castle and Sulphur Turnpike Road Company;

An act for the benefit of toll-gate keeper in Josh Bell county;

An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company;

An act to declare John's creek, in Floyd, Johnson, and Pike counties, a navigable stream;

An act to charter the Middleburg, Knob Lick, and Trace Fork Turnpike Road Company;

An act fixing the rate of freight and tolls on the North Middletown and Mount Sterling Turnpike Road;

An act to amend an act, entitled "An act to create a special road law for the county of Pendleton;"

An act to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c;"

An act to amend the charter of the Richmond and Big Hill Turnpike Road Company;

An act for the benefit of the Logan Female College;

An act to incorporate the Athens and Walnut Hill Turnpike Company;

An act for the benefit of the Kentucky River Turnpike Road Company;

An act to repeal section 6 of an act, entitled "An act to amend the charter of the Ashland and Catlettsburg Turnpike," approved February 3, 1871;

An act to incorporate the New Castle and Bethlehem Turnpike Road Company;

An act to charter the Springfield and Chaplain Turnpike Road Company;

An act to incorporate the Perryville and Old Mackville Turnpike Road Company, in Boyle and Mercer counties;

An act for the benefit of Park's Ferry and Carlisle Turnpike Road Company;

An act to authorize the county court of Scott county to increase its subscriptions to turnpike roads;

An act to incorporate the Falls City Tobacco Manufacturing Company;

An act to incorporate the Greenup and Boyd County Turnpike Road Company;

An act to charter the Lagrange and Brownsboro Turnpike Company;

An act to amend an act, entitled "An act to incorporate the Kentucky Central Railroad Company;"

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of John T. Jackson," approved March 9, 1867;

An act to amend the charter of the Bowling Green, Hartford, and Ohio River Railroad Company;

An act in relation to the town marshal of Hartford, in Ohio county;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville, Kentucky;

An act for the benefit of Murray common school district, in Calloway county;

An act for the benefit of school district No. 9, in the county of Hancock;

An act to amend the common school law for the county of Jefferson;

An act to amend an act, entitled "An act to amend the charter of the Smithfield and Ballardsville Turnpike Road Company;"

An act for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county;

An act to amend an act, entitled "An act to authorize the Louisville chancery court, the Jefferson circuit and county courts, to increase the compensation of the surveyor of Jefferson county in certain cases;"

An act concerning the city court of Louisville;

An act to prevent the destruction of birds in Jefferson county;

An act to incorporate the town of Smith's Grove, in Warren county;

An act to amend an act, entitled "An act to incorporate the High Grove and Sayer's Depot Turnpike Road Company;"

An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Claysville, and to levy a tax therefor;

An act to amend the charter of the town of Carrollton, in Carroll county;

An act to authorize and empower certain persons to close the Harrodsburg and Madison State Road, in Henry county;

An act to authorize and provide for the erection of a new court-house and clerks' offices in Fayette county;

An act to incorporate the Kentucky Mutual Benefit Association of Physicians;

An act to incorporate the Eminence and Smithfield Turnpike Road Company;

An act to incorporate the Peed and Johnson Turnpike Road Company;

An act to incorporate the Barren River Lock and Dam Company;

An act to amend the charter of the city of Covington;

An act to further increase the resources of the sinking fund of the city of Louisville;

An act for the benefit of the Southern Stock-yard Company;

An act to incorporate the Grayson Springs and Grayson Springs Station Turnpike Road Company, in Grayson county;

An act incorporating the Montgomery Manufacturing Company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Allison reported that the committee had performed that duty.

Mr. Hawes, from the Committee on Religion and Morals, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to regulate the sale of intoxicating drinks within half a mile of South Kentucky Fair Grounds,

Reported the same without amendment.

Ordered, That said bill be laid upon the table.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to authorize Edward Hopper to qualify, execute bond, and act as executor of the last will and testament of Seymour Hopper, deceased.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	A. G. Talbott,
Jos. M. Alexander,	Edwin Hawes,	Oscar Turner,
F. M. Allison,	J. B. Hayden,	H. A. Tyler,
A. K. Bradley,	William Johnson,	W. L. Vories,
R. A. Burton,	John W. Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	A. L. McAfee,	Emery Whitaker,
John B. Clark,	I. A. Spalding,	I. C. Winfrey—22.
G. W. Connor,		

Those who voted in the negative, were—

A. C. Vallandingham, Lewis Perrin—2.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of Benj. D. Beall, clerk of the Campbell circuit court.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Lyttleton Cooke,	Oscar Turner,
Jos. M. Alexander,	J. H. Dorman,	H. A. Tyler,
F. M. Allison,	W. McKee Fox,	W. L. Vories,
A. K. Bradley,	Wm. Johnson,	Ben. J. Webb,
R. A. Burton,	A. L. McAfee,	Emery Whitaker,

J. Q. Chenoweth, I. A. Spalding, I. C. Winfrey,
John B. Clarke, A. G. Talbott, Thos. Wrightson—22.
G. W. Connor,

Those who voted in the negative, were—

Edwin Hawes, Lewis Perrin—2.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore entered to reconsider the vote by which the Senate had disagreed to a bill from the House of Representatives, entitled

An act to incorporate the district of Hayfield, in Campbell county.

The question being taken on reconsidering said vote, it was decided in the affirmative.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Vallandingham, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act to expedite the collection of the war claim of the State of Kentucky,

Reported the same, with the expression of opinion that it ought not to pass.

The question being taken on ordering said bill to be read a third time, it was decided in the affirmative.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Perrin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt), J. H. Dorman, H. A. Tyler,
R. A. Burton, W. McKee Fox, Ben. J. Webb,
J. Q. Chenoweth, John W. Johnson, Emery Whitaker,
John B. Clarke, I. A. Spalding, I. C. Winfrey—14.
G. W. Connor, A. G. Talbott,

Those who voted in the negative, were—

F. M. Allison, William Johnson, Oscar Turner,
A. K. Bradley, A. L. McAfee, A. C. Vallandingham,
Edwin Hawes, Lewis Perrin, Thos. Wrightson—9.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to prevent illegal voting in this Commonwealth.

Mr. Wm. Johnson moved amendments to said bill.

Which were adopted.

Ordered, That the further consideration of said bill be postponed until to-morrow.

The Senate, according to order, took up for consideration a bill, entitled

A bill to pay military claims audited by the Quarter-Master General.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, There have been reported to the General Assembly by the Quarter-Master General certain military claims against the State, which have been audited and found to be properly proven and authenticated, as provided by acts approved February 17, 1866, March 9, 1867, and March 16, 1869, amounting to four thousand and twenty-eight dollars and seventy-two cents, and being the entire balance of the indebtedness of the State in "raising, arming, equipping, &c., troops for the suppression of the rebellion;" therefore, in order that the Quarter-Master General may be enabled to present at once these claims at Washington for reimbursement as part of the war claim against the United States Government, and thereby close it for final settlement,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Public Treasury, in payment of each of said claims so reported as aforesaid by said Quarter-Master General, to be paid out of any moneys hereafter to be received from the Federal Government on account of military claims.

§ 2. The Quarter-Master General is hereby directed to cause the said claims, so soon as they shall be paid, to be made up into an installment of the war claim, and present it to the General Government for reimbursement.

§ 3. That this act to take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	Ben. J. Webb,
F. M. Allison,	I. A. Spalding,	I. C. Winfrey,
R. A. Burton,	W. L. Vories,	Thos. Wrightson—9.

Those who voted in the negative, were—

Jos. M. Alexander,	William Johnson,	Oscar Turner,
A. K. Bradley,	John W. Johnson,	H. A. Tyler,
Lyttleton Cooke,	A. L. McAfee,	A. C. Vallandingham,
J. H. Dorman,	Lewis Perrin,	Emery Whitaker—14.
Edwin Hawes,	A. G. Talbott,	

So said bill was rejected.

The Senate, according to order, took up for consideration a bill, entitled

A bill concerning the sale of stock owned by the State of Kentucky in turnpike roads or turnpike road companies.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act authorizing the sale of the interest and stock owned by the State of Kentucky in turnpike roads, or turnpike road companies," approved March 7th, 1871, be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Holt),	Edwin Hawes,	A. G. Talbott,
A. K. Bradley,	William Johnson,	A. C. Vallandingham,
R. A. Burton,	John W. Johnson,	Emery Whitaker,
J. Q. Chenoweth,	A. L. McAfee,	I. C. Winfrey,
John B. Clarke,	I. A. Spalding,	Thos. Wrightson—16.
J. H. Dorman,		

Those who voted in the negative, were—

Jos. M. Alexander,	Lewis Perrin,	Ben. J. Webb—5.
Lyttleton Cooke,	H. A. Tyler,	

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

And bills from the House of Representatives of the following titles, viz:

An act to change the time of payment of the revenue into the State Treasury, and amend the revenue laws.

An act to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Ordered, That the further consideration of said bills be postponed until to-morrow.

The Senate, according to order, took up for consideration a bill, entitled

A bill for the benefit of the tax-payers of Jessamine county.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, The Kentucky River Navigation Company, incorporated by an act of the General Assembly of the Commonwealth of Kentucky approved the first day of March, 1865; in pursuance of the provisions of the said act of incorporation, the company applied to and obtained a subscription of one hundred thousand dollars from the county court of Jessamine county, which was to be paid in five equal installments, commencing in the year 1869. In this year the sheriff collected, on the first installment, the sum of eighteen thousand five hundred and two dollars and ninety cents, and paid the same to Moreau Brown as president of said Navigation Company, who applied the same to the work done on the Kentucky river under said act of incorporation, which has been declared unconstitutional by the Court of Appeals of Kentucky; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant for eighteen thousand five hundred and two dollars and ninety cents in favor of the bonded treasurer of the county upon the Treasurer, to be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That said Auditor, before delivering his warrant to said county treasurer for said sum of money, shall require said county treasurer to file satisfactory evidence in his office of a good and sufficient bond as said county treasurer of Jessamine county; and also taking the county treasurer's bond, with good and sufficient security, to be approved by said Auditor, conditioned that said county treasurer will refund to the tax-payers of Jessamine county the amount of money assessed against each tax-payer by the county court of Jessamine in the year 1869, and paid by them to the sheriff of Jessamine county in discharge of the first installment of the stock subscribed by the county court of Jessamine to the capital stock of the Kentucky River Navigation Company; said county treasurer to take up the receipt given by the sheriff to each tax-payer who paid such taxes, and file the same with the Auditor of Public Accounts as vouchers for said payments.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hawes and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	A. G. Talbott,
R. A. Burton,	A. L. McAfee,	W. L. Vories,
J. Q. Chenoweth,	Lewis Perrin,	I. C. Winfrey—9.

Those who voted in the negative, were—

Jos. M. Alexander,	Edwin Hawes,	Oscar Turner,
A. K. Bradley,	J. B. Hayden,	H. A. Tyler,
John B. Clarke,	William Johnson,	A. C. Vallandingham
Lyttleton Cooke,	John W. Johnson,	Ben. J. Webb,
J. H. Dorman,	I. A. Spalding,	Emery Whitaker—15.

So said bill was rejected.

The Senate, according to order, took up for consideration an engrossed bill, entitled

An act for the benefit of Mrs. Matilda Taylor, of Boyle county.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it may be lawful for Mrs. Matilda Taylor, of the county of Boyle, and town of Danville, to dispose of her house and lot in said town, where she now lives, in shares, and for that purpose may issue and sell, by herself or agents, as many certificates representing portions of said house and lot, or blanks, as she or her agents may think proper.

§ 2. That Milton J. Durham, Dr. Thos. W. Jackson, Clark Gregory, D. N. Prewitt, Wm. M. Fields, and Charles H. Rodes, be, and they are hereby, appointed commissioners, any three or more, or all of whom, may act, whose duty it shall be to determine, by lot, to what shareholder or shareholders any portions of said house and lot shall belong, and to whom the title thereto shall be made, and to do and perform such act as may, in their opinion, be necessary to carry this act into full effect.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Clarke, were as follows, viz:

Those who voted in the affirmative, were—

R. A. Burton,	J. B. Hayden,	Oscar Turner,
J. Q. Chenoweth,	A. L. McAfee,	Ben. J. Webb,
Lyttleton Cooke,	A. G. Talbott,	I. C. Winfrey—10.
W. McKee Fox,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. H. Dorman,	H. A. Tyler,
Jos. M. Alexander,	Edwin Hawes,	W. L. Vories,

A. K. Bradley,	John W. Johnson,	Emery Whitaker,
John B. Clarke,	Lewis Perrin,	Thos. Wrightson—12.

So said bill was rejected.

Mr. Alexander moved that the vote by which said bill was rejected be reconsidered.

And the question being taken thereon, it was decided in the affirmative.

So the question was again taken on the passage of said bill, and again decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	I. A. Spalding,	A. C. Vallandingham,
J. Q. Chenoweth,	A. G. Talbott,	Ben. J. Webb,
Lyttleton Cooke,	Oscar Turner,	I. C. Winfrey—10.
W. McKee Fox,		

Those who voted in the negative, were—

A. K. Bradley,	John W. Johnson,	W. L. Vories,
John B. Clarke,	Lewis Perrin,	Emery Whitaker,
J. H. Dorman,	H. A. Tyler,	Thos. Wrightson—10.
Edwin Hawes,		

So said bill was rejected.

Mr. Chenoweth offered the following resolution, viz:

Resolved, That the Public Printer be, and is hereby, directed to forward to each member of the Senate, and the officers thereof, such sheets of the Journals of the Senate and House of Representatives as may not have been printed at the time of the present adjournment of the Legislature, together with a synopsis of the general, and the titles of the private, acts, passed at this session, on which the postage is to be paid—one hundred copies of the synopsis of the acts to each member of the Senate and officers.

Which was twice read and adopted.

Mr. Chenoweth also read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer is hereby directed, immediately after the adjournment of this General Assembly, to print, in pamphlet form, properly indexed, a sufficient number of the general laws passed at this session to furnish the Governor and each head of the State departments, the State Librarian, and each judge of the court of appeals, of the circuit courts, common pleas courts, chancery courts, criminal courts, and county courts, and the clerks of said courts, sheriffs, police judges, the Attorney General, each Commonwealth's

Attorney and county attorney, and each member of this General Assembly and its Clerks and Assistant Clerks, Sergeants-at-Arms and Door-keepers, one copy each of said laws; and send the same, post-paid, to the above named officers and persons—the postage to be paid by the Treasurer, upon the warrant of the Auditor, upon the certificate of the Public Printer as to the amount. That this resolution shall be in force from its passage.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration a bill, entitled

A bill in relation to the improvement of streets in cities and towns in this State.

The question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative.

So said bill was rejected.

Mr. Tyler, from a select committee, presented the following report, viz:

WHEREAS, The late Governor's annual message, and the Auditor's Report, show that the resources or assets in the Sinking Fund far exceed the entire indebtedness of this State; and whereas, in addition to this, it appears from the said message that there is due from the United States a balance of $1,193,761 86, thus showing an excess *very large* in our resources over the entire indebtedness of this State; therefore, be it

Resolved, That H. A. Tyler, A. K. Bradley, A. G. Talbott, J. B. Hayden, and R. A. Burton, be appointed a special committee, with instructions to report whether the indebtedness of this State cannot be immediately paid off, and the taxes decreased; and that they also ascertain and report at what rate the undue State bonds can be purchased and paid off, by selling the assets in the Sinking Fund; said committee to report as soon as practicable by bill or otherwise.

Twice read and adopted; and

Resolved, That Messrs. Oscar Turner and W. H. Payne be added to said committee.

Attest: J. R. HAWKINS, C. S.

The committee, in pursuance of the above resolution, offered by Mr. Turner on the 18th inst., report the following, viz:

On the 10th day of October, 1870, the commencement of the present fiscal year, the outstanding and bonded indebtedness of the State was as follows:

Bonds past due	$68,394 00
Six per cent. bonds maturing November 4, 1870	43,000 00
Five per cent. bonds maturing April 25, 1871	94,000 00
Six per cent. bonds maturing in 1871	203,000 00
Six per cent. bonds maturing in 1872	230,000 00
Five per cent. bonds maturing in 1873	66,000 00
Six per cent. bonds maturing in 1873	253,000 00
Six per cent. bonds maturing in 1874	136,000 00
Six per cent. bonds maturing in 1875	20,000 00
Six per cent. bonds maturing in 1876	2,000 00
Six per cent. bonds (military bonds) maturing in 1895	309,000 00
Making sum total of	$1,424,394 00

By reference to the Auditor's Report (see page 9), it will be seen that the cash then on hand, together with the estimated receipts of the Sinking Fund for the present fiscal year, are ample and sufficient to liquidate the first four items above, the accruing interest on the remainder, as also all other accruing liabilities of the Sinking Fund, and still leave, at the close of this fiscal year, a clear balance of cash $324,906 42, and an outstanding indebtedness of $1,016,000 00. Of this, the military bonds, $309,000 00, and the five per cent. bonds maturing in 1873, $66,000, are all held by banks and citizens of Kentucky, and can be easily had at par, and many of them at 95 cents on the dollar. The residue, all six per cent. bonds maturing in 1872, 1873, 1874, 1875, and 1876, as above shown, and amounting in the aggregate to $641,000 00, are held principally in New York and Europe.

It is believed by the Auditor, and in this your committee concur, that if the arrangements were made and public notice given that the State was ready and willing to cash them at a premium of one or two per cent., that they would all be speedily presented and the offer accepted. It remains, then, to see what are the resources of the State to at once redeem and cancel this outstanding bonded indebtedness. Upon this point your committee would respectfully submit the following:

The Commissioners of the Sinking Fund hold the following bonds and stocks of the State:

7,789 shares of stock in the Bank of Kentucky, par	$778,800 00
406 shares of stock in the Bank of Louisville, at 95 cents	38,570 00
Bonds of the Louisville and Frankfort Railroad	74,519 50
2,178 shares of stock in the Frankfort and Lexington Railroad, at 60 cents	130,680 00
260 shares preferred stock in Louisville, Cincinnati, and Lexington Railroad, par	26,000 00
Other internal improvement stocks, valued at 10 per cent., on original cost,	254,435 96
Making a total cash value of the bonds and stocks of the Sinking Fund of	$1,303,105 46
To which must be added the estimated cash balance above of	324,906 42
Making an aggregate of cash and cash assets of	$1,628,011 88

with which to redeem and cancel the above and outstanding indebtedness of $1,016,000, an excess over said entire indebtedness of $612,000; more than sufficient to liquidate the past and present estimated deficits of the revenue proper. In the estimate above the bonds and stocks are valued at the rate at which they are quoted and sold upon the market for cash, and can be turned into cash at those figures on short notice.

And it will be noticed, that in the above estimate no computation is made of the claim of the Sinking Fund against the revenue proper for the sum of $816,000 heretofore borrowed of the Sinking Fund to supply deficit of the revenue proper; but the above happy result can and may be attained without uselessly increasing the rate of tax to pay said claim; for, as shown, the assets being sufficient without it, to liquidate all outstanding indebtedness; then why and for what purpose shall the burthen of taxation upon the people be increased to raise said sum?

Your committee can see no valid reason.

Sell off all the stocks and bonds of the State, liquidate her outstanding indebtedness, and see how perfectly and easily we would be freed from our present financial embarrassment.

We would have the above excess of $612,000 with which to liquidate all past and present estimated deficits of the revenue proper. In addition to which, we have our war claim against the Federal Government of $1,193,761 86 (most of which, it is believed, will soon be paid), to meet all possible future deficits; and again, with the indebtedness of the State paid, and all necessity of a Sinking Fund removed, the tax on banks, insurance, and oil companies, dividends of turnpike roads, railroads, and the rent of the Penitentiary, amounting annually to $178,257 84, would then, less the interest on the school bonds of $87,000, go into the Treasury proper, instead of, as now, into the Sinking Fund.

This, with the above excess, and probable amount collectable of the war claim, will, in the opinion of your committee, be ample and sufficient to supply all probable future deficits in the revenue proper, without, directly or indirectly, increasing the present rate of taxation. But, on the contrary, the General Assembly can then, with perfect safety, diminish the rate of tax to the extent of five cents on the one hundred dollars now going to the Sinking Fund, amounting in the aggregate each year to the sum of $198,145 38.

Much of the stocks are netting little or no income. All of them taken together do not average six per cent. income upon their above estimated market value, the rate of interest we pay upon our outstanding indebtedness.

Besides, there is, upon an average, four hundred thousand dollars cash on hand in the Sinking Fund, and, until recently, it paid no interest. It is even now on deposit in the banks at only three per cent. Without the adoption of some such views as herein recommended, it is the opinion of your committee that the rate of taxation will have to be materially increased to meet the annual deficits of the revenue proper.

Shall we, then, increase the burthen and rate of taxation, after we have declared by solemn legislation that money was worth ten per cent., rather than sell and dispose of stocks and bonds that do not realize six per cent. upon their market value, or use a large fund of surplus cash that never pays over three per cent., and generally none?

We, your committee, think not; and, in furtherance of our views, respectfully submit the accompanying bill.

H. A. TYLER,
J. B. HAYDEN,
OSCAR TURNER,
A. GALLATIN TALBOTT, SR.,
R. A. BURTON,
A. K. BRADLEY.

Said bill is entitled,

A bill to provide for the payment of the State debt.

And was read the first time as follows, viz:

WHEREAS, It appears to the satisfaction of this General Assembly that the assets, consisting of bank stocks, railroad stocks, bonds, &c., held by the Commissioners of the Sinking Fund, are ample and sufficient to liquidate the entire outstanding bonded indebtedness of the State, as also to supply all past and estimated deficits of the revenue proper, and that thereafter the revenue proper would annually receive from different sources an income of $377,000, less interest on school bonds $87,000, that now goes to the Sinking Fund, sufficient to supply the annual deficits of the revenue proper; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth shall, within thirty days, appoint a discreet person, other than a member of the Board of Commissioners of the Sinking Fund, as an agent to negotiate for and purchase, by and with the consent and approval of the Governor,

the outstanding bonded indebtedness of the State maturing after the close of the present fiscal year.

§ 2. That in payment of the purchase price of said bonds so purchased, said agent shall draw on the Commissioners of the Sinking Fund for the amount respectively agreed to be paid therefor, and shall immediately give notice thereof to said Board of Commissioners and the amount so drawn; and thereupon said Commissioners of the Sinking Fund shall immediately provide for the payment of said drafts.

§ 3. That said Board of Commissioners of the Sinking Fund are hereby vested with full power and authority, and are instructed to sell so many of the bonds and stocks owned by the State and held by said Commissioners as may become necessary to make prompt payment of all drafts so drawn by said agent, as herein authorized, said Commissioners being hereby vested with full discretion as to what bonds or stocks they will first sell.

§ 4. That all acts or parts of acts in conflict with this act are hereby repealed.

§ 5. This act to take effect from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, together with said report, and made the special order of the day for to-morrow.

On motion of Mr. Vallandingham,

Ordered, That the Public Printer print, envelop, stamp, and furnish to each member and officer of the Senate, fifty copies of aforesaid report of select committee.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to prevent the destruction of fish in the South Fork of Licking river and its tributaries,

With the amendment heretofore adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

TUESDAY, MARCH 21, 1871.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21st, 1870,

An act to amend an act to regulate the sale of spirituous liquors to minors.

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867.

An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

An act to incorporate the Kentucky Baptist Historical Society.

An act incorporating College Street Presbyterian Church of Louisville.

An act for the benefit of the levy court of Henry county.

An act to amend the charter of the town of New Castle, Henry county.

An act for the benefit of the judge of the Todd county and quarterly courts.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Hartford Railroad and Mining Company.

An act to incorporate the Ashbottom Turnpike Road Company.

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water works," approved January 26, 1871.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a

resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bank of Maysville.

An act to amend the charter of Bowling Green.

An act to incorporate the town of Frenchburg, in Menifee county.

An act to amend and reduce into one the several acts in reference to the town of Eminence.

An act to incorporate the town of Flat Rock, in Bourbon county.

An act to incorporate the town of Mount Olivet, Robertson county.

An act to incorporate the town of Calvert City, in Marshall county.

An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Mt. Sterling.

An act to incorporate the Widows' and Orphans' Cemetery Company of Crab Orchard.

An act to incorporate the Methodist Episcopal Church, South, Widows' and Orphans' Home.

An act to incorporate the town of Knowlesburg, in Morgan county.

An act to incorporate the town of Spottsville, in Henderson county.

An act to amend and reduce into one all the acts concerning the town of Edmonton.

An act for the benefit of Robert A. Marical, of Josh Bell county;

An act to appropriate money.

An act to amend an act approved March 15th, 1869, abolishing the Board of Internal Improvement.

An act to repeal all laws restricting the sale of hides or pelts in Shelby county.

An act to amend the charter of the Deposit Bank of Frankfort.

An act for the benefit of N. B. Campbell, of Josh Bell county.

An act to appropriate money to the Western Lunatic Asylum.

An act for the benefit of the surveyor of Harlan county.

An act to incorporate the Warehouse Banking Company.

Resolutions on the death of Hon. Daniel Breck.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relative to the common schools of Kentucky."

2. An act to relieve the directors and officers of the Louisville Water Company from service as grand and pettit jurors in the county of Jefferson.

3. An act to amend an act, entitled "An act to amend the charter of the Louisville and Salt River Turnpike Road Company," approved February 17, 1871.

4. An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Middleburg, in Casey county.

5. An act to prohibit the sale of spirituous or vinous liquors in the town of Warsaw, or within four miles thereof, in Gallatin county.

6. An act to amend an act to incorporate the Eagle Petroleum and Mineral Company, approved February 10, 1865.

7. An act for the benefit of school district No. 7, of Henry county.

8. An act to incorporate the Broadway and Dunkirk Railway Company.

9. An act to amend an act, entitled "An act for the benefit of the negroes and mulattoes of this Commonwealth."

10. An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the Committee on Education; the 5th to the Committee on Religion and Morals; the 6th to the Committee on Agriculture and Manufactures; the 8th and 10th to the Committee on Railroads; the 9th to the Committee on the Judiciary; and the 2d, 3d, 4th, and 7th were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

An act to authorize the county court of Henry county to publish its proceedings in the county paper.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to incorporate the Rough and Ready and Camdensville Turnpike Road Company.

By same—

An act to incorporate the Glasgow, Tompkinsville, and Cumberland River Turnpike Road Company.

By same—

An act to amend an act to incorporate the Kentucky River Turnpike Road Company.

By same—

An act to amend the charter of the New Castle and Kentucky River Turnpike Road Company.

By same—

An act to amend an act incorporating the Lagrange and Shelbyville Turnpike Road Company.

By Mr. Cooke, from the Committee on the Judiciary—

An act for the benefit of the jailer of Jefferson county.

By Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice—

An act to amend an act, entitled "An act incorporating the town of Lawrenceburg."

By same—

An act authorizing sheriffs, administrators, &c., of Simpson county, to give notice of sales as such in the newspapers published in said county.

By same—

An act for the benefit of William Quillin, of Letcher county.

By Mr. Whitaker, from the Committee on Education—

An act for the benefit of school district No. 34, in Kenton county.

By Mr. Hawes, from the Committee on Religion and Morals—

An act to prevent the sale of spirituous liquors in Bewleyville on the Sabbath day.

By same—

An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown district, No. 4, in Clark county.

By same—

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow railroad depot, outside the corporate limits of the town of Glasgow.

By same—

An act to incorporate the Hebrew Adath Israel congregation of the city of Owensboro.

With amendments to the last three named bills.

Which were adopted.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act to re-enact an act, entitled "An act to amend article 3, chapter 86, Revised Statutes," approved February 17, 1866,

Reported the same without amendment.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on the Judiciary—

A bill to repeal an act, entitled "An act to enable Warren county to construct macadamized, and other roads, in said county," approved March 9th, 1869.

By same—

A bill to amend the charter of the South Kentucky Fair Ground Association.

By Mr. Webb, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Anchor Steel Company.

By Mr. Hawes, from the Committee on Religion and Morals—

A bill to amend an act, entitled "An act in relation to the sale of spirituous and malt liquors in Logan county," approved March 12th, 1870.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate the Light's Hill Turnpike Road Company, in Kenton county.

By same—

A bill to amend the charter of the Brownsboro, Sand Hill, and Brownsboro and Jefferson Turnpike Road Company.

By same—

A bill to amend an act, entitled "An act to amend an act to allow the citizens of Henry county to vote a tax in aid of turnpike companies of said county."

By same—

A bill for the benefit of John White, of Henry county.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill supplementary to an act, entitled "An act to establish a chancery court in the counties of Campbell, Kenton, Bracken, and Pendleton counties," approved March 20, 1871.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to establish a chancery court for the counties of Campbell, Kenton, Bracken, and Pendleton.

An act for the benefit of Murray common school district, in Calloway county.

On motion of Mr. Cooke, leave of indefinite absence was granted Messrs. Allison and J. W. Johnson.

A message was received from the House of Representatives, announcing their concurrence in an amendment proposed by the Senate, to a bill from the House of Representatives, entitled

An act to incorporate the Hebrew Adath Israel congregation of the city of Owensboro.

Mr. W. Johnson then moved to reconsider the vote by which the Senate had rejected a bill, entitled

A bill to pay military claims audited by the Quarter-Master General.

Which motion was simply entered.

Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to amend sections 24, 29, and 827 of the Civil Code of Practice, regulating the jurisdiction and pleadings of quarterly courts and justices of the peace,

Reported the same, with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 24, article 1, chapter 3, title 2, of the Civil Code of Practice, be amended as follows: Strike out the words "one hundred dollars," and insert "two hundred dollars."

§ 2. That section 29, chapter 5, title 2, of the Civil Code of Practice, be amended as follows: Strike out the words "fifty dollars," and insert "one hundred dollars."

§ 3. That section 827, article 1, chapter 4, title 16, of Civil Code of Practice, be amended as follows: Strike out the words "fifty dollars," and insert "one hundred dollars."

§ 4. That this act shall take effect from and after its passage.

Mr. Talbott moved that said bill be laid upon the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Lyttleton Cooke,	I. A. Spalding,
A. K. Bradley,	J. H. Dorman,	A. G. Talbott,
R. A. Burton,	W. McKee Fox,	Ben. J. Webb,
John G. Carlisle,	Wm. Johnson,	Emery Whitaker,
J. Q. Chenoweth,	A. L. McAfee,	Thos. Wrightson—16.
G. W. Connor,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Lewis Perrin,	H. A. Tyler,
Edwin Hawes,	E. D. Standeford,	W. L. Vories,
W. H. Payne,	Oscar Turner,	I. C. Winfrey—9.

So said bill was laid on the table.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to appropriate money, and provide for the erection of an additional building at the Eastern Lunatic Asylum.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the managers and superintendent of the Eastern Lunatic Asylum be, and they are hereby, authorized and directed to erect an additional building on the grounds of the Asylum, which shall be suitable for and used by the superintendent of said Asylum as a residence. The said building shall be finished in a plain and substantial manner, without ornament, but with conveniences of a good and durable character.

§ 2. After the building provided for in the first section of this act shall have been finished and occupied by the superintendent of said Asylum, the board of managers and superintendent of said Asylum shall alter and fit up the apartments vacated for the reception of patients that may be consigned to said Asylum by law, so far as the same can be properly done.

§ 3. That there be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to pay for the erection of the building and making the alterations authorized by this act; and the managers and superintendent are expressly directed not to exceed said appropriation in the complete finishing of the work authorized by this act to be done.

§ 4. That the amount so appropriated shall be paid to the treasurer of said Asylum, as the same shall be needed to pay for work and material on said building, upon orders for that purpose signed by the chairman of the board of managers and filed in the Auditor's office. The sums so received by the treasurer shall be paid out for work and material, upon the orders of the chairman of the managers and superintendent, or the one or the other of them, as the board of managers shall direct; and said Treasurer shall keep an account of such receipts and payments, supported by vouchers, which shall be quarterly examined, corrected, and certified by the managers, and filed and audited in the Auditor's office, in the same manner as the other accounts of the Treasurer.

§ 5. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. B. Hayden,	W. L. Vories,
R. A. Burton,	A. L. McAfee,	Ben. J. Webb,
John G. Carlisle,	Lewis Perrin,	Emery Whitaker,
J. Q. Chenoweth,	E. D. Standeford,	I. C. Winfrey,
Lyttleton Cooke,	A. G. Talbott,	Thos. Wrightson—16.
W. McKee Fox,		

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	I. A. Spalding,
A. K. Bradley,	William Johnson,	Oscar Turner,
J. H. Dorman,	W. H. Payne,	H. A. Tyler—9.

So said bill was disagreed to, not having received the number of votes requisite to its passage under the Constitution.

Mr. Holt entered a motion to reconsider the vote by which said bill was disagreed to.

On motion, said motion to reconsider was taken up, and the question taken thereon, and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was again decided in the negative, the majority required by the Constitution not having voted therefor.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	W. McKee Fox,	W. L. Vories,
R. A. Burton,	J. B. Hayden,	Ben. J. Webb,
John G. Carlisle,	A. L. McAfee,	Emery Whitaker,
J. Q. Chenoweth,	Lewis Perrin,	I. C. Winfrey,
G. W. Connor,	I. A. Spalding,	Thos. Wrightson—17.
Lyttleton Cooke,	A. G. Talbott,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	Oscar Turner,
A. K. Bradley,	William Johnson,	A. C. Vallandingham,
J. H. Dorman,	E. D. Standeford,	H. A. Tyler—9.

So said bill was again disagreed to.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of M. H. Bronaugh, of Christian county.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill, see Session Acts*, 1871.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	Oscar Turner,
Jos. M. Alexander,	William Johnson,	H. A. Tyler,

A. K. Bradley,	A. L. McAfee,	A. C. Vallandingham,
R. A. Burton,	W. H. Payne,	W. L. Vories,
Jno. G. Carlisle,	Lewis Perrin,	Ben. J. Webb,
J. Q. Chenoweth,	I. A. Spalding,	Emery Whitaker,
G. W. Connor,	E. D. Standeford,	I. C. Winfrey,
J. H. Dorman,	A. G. Talbott,	Thos. Wrightson—25.
W. McKee Fox,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to change the time of payment of the revenue into the State Treasury, and amend the revenue laws.

[*For bill, see Session Acts*, 1871.]

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. B. Hayden,	A. G. Talbott,
A. K. Bradley,	A. L. McAfee,	Oscar Turner,
R. A. Burton,	W. H. Payne,	H. A. Tyler,
Edwin Hawes,	E. D. Standeford,	I. C. Winfrey—12.

Those who voted in the negative, were—

Jno. G. Carlisle,	W. McKee Fox,	W. L. Vories,
J. Q. Chenoweth,	William Johnson,	Ben. J. Webb,
Lyttleton Cooke,	Lewis Perrin,	Emery Whitaker,
J. H. Dorman,	I. A. Spalding,	Thos. Wrightson—12.

Mr. Vories moved that the vote by which the Senate refused to order said bill to be read a third time be reconsidered.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	J. B. Hayden,	Oscar Turner,
Jos. M. Alexander,	A. L. McAfee,	H. A. Tyler,
A. K. Bradley,	W. H. Payne,	A. C. Vallandingham,
R. A. Burton,	E. D. Standeford,	W. L. Vories,
G. W. Connor,	A. G. Talbott,	I. C. Winfrey—16.
Edwin Hawes,		

Those who voted in the negative, were—

John G. Carlisle,	W. McKee Fox,	Ben. J. Webb,
J. Q. Chenoweth,	Wm. Johnson,	Emery Whitaker,
Lyttleton Cooke,	Lewis Perrin,	Thos. Wrightson—11.
J. H. Dorman,	I. A. Spalding,	

The question was again taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	A. G. Talbott,
Jos. M. Alexander,	J. B. Hayden,	Oscar Turner,
A. K. Bradley,	A. L. McAfee,	H. A. Tyler,
R. A. Burton,	W. H. Payne,	I. C. Winfrey—14.
G. W. Connor,	E. D. Standeford,	

Those who voted in the negative, were—

John G. Carlisle,	William Johnson,	W. L. Vories,
J. Q. Chenoweth,	Lewis Perrin,	Ben. J. Webb,
Lyttleton Cooke,	I. A. Spalding,	Emery Whitaker,
J. H. Dorman,	A. C. Vallandingham,	Thos. Wrightson—13.
W. McKee Fox,		

It was then moved to dispense with the third reading of said bill.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. Johnson and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr SPEAKER (Holt),	W. McKee Fox,	Oscar Turner,
Jos. M. Alexander,	Edwin Hawes,	H. A. Tyler,
A. K. Bradley,	J. B. Hayden,	A. C. Vallandingham,
R. A. Burton,	A. L. McAfee,	W. L. Vories,
John G. Carlisle,	W. H. Payne,	Ben. J. Webb,
J. Q. Chenoweth,	I. A. Spalding,	Emery Whitaker,
G. W. Connor,	E. D. Standeford,	I. C. Winfrey,
Lyttleton Cooke,	A. G. Talbott,	Thos. Wrightson—25.
J. H. Dorman,		

Those who voted in the negative, were—

William Johnson, Lewis Perrin—2.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	E. D. Standeford,
Jos. M. Alexander,	J. B. Hayden,	A. G. Talbott,

A. K. Bradley, A. L. McAfee, Oscar Turner,
R. A. Burton, W. H. Payne, H. A. Tyler—13.
G. W. Connor,

Those who voted in the negative, were—

John G. Carlisle, W. McKee Fox, W. L. Vories,
J. Q. Chenoweth, William Johnson, Ben. J. Webb,
Lyttleton Cooke, Lewis Perrin, Emery Whitaker,
J. H. Dorman, I. A. Spalding, Thos. Wrightson—12.

Resolved, That the title of said bill be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes and Codes of Practice, reported a bill, entitled

A bill to amend an act, entitled "An act to facilitate the finding of records in the Warren circuit court," approved February 25th, 1870.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act to facilitate the finding of records in the Warren circuit and county courts," approved February 25th, 1870, be, and the same is hereby, so amended, as that the clerk for making the indexes and cross-indexes of the records of the circuit court, as required in said act, shall receive his pay therefor from the State Treasury instead of from the county levy; and, upon said work being performed, it shall be the duty of the circuit court to certify the fact and the allowance for the same to the Auditor of the State, who shall draw his warrant therefor upon the Treasurer, payable to said clerk for said services: *Provided, however*, That if, in the meanwhile, said clerk shall have received his pay from the county levy of said county, the money to be drawn from the Treasury shall go in reimbursement of the county treasury.

§ 2. This act to be in force from and after its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt), W. McKee Fox, Oscar Turner,
Jos. M. Alexander, Wm. Johnson, H. A. Tyler,
A. K. Bradley, A. L. McAfee, A. C. Vallandingham,
R. A. Burton, W. H. Payne, W. L. Vories,

no. G. Carlisle,	I. A. Spalding,	Ben. J. Webb,
J. Q. Chenoweth,	E. D. Standeford,	Emery Whitaker,
G. W. Connor,	A. G. Talbott,	I. C. Winfrey—21.

Those who voted in the negative, were—

J. H. Dorman,	Edwin Hawes,	Lewis Perrin—3.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration bills of the following titles, viz:

A bill to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

A bill to provide for the payment of the State debt.

And a bill from the House of Representatives, entitled

An act to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Ordered, That the further consideration of said bills be postponed until to-morrow.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21st, 1870;

An act to mark and define the boundary line between the counties of Muhlenburg and McLean;

An act to authorize the Anderson county court to levy a tax to build bridges, and for other purposes;

An act to incorporate the Frenchburg and Owingsville Turnpike Road Company;

An act to regulate the sale of liquors in the town of Camner, Hart county, and within one mile thereof;

An act authorizing the county court of Spencer county to levy a tax in aid of turnpikes;

An act to amend the charter of the town of Brooksville, in Bracken county;

An act for the benefit of Benj. D. Beall, clerk of the Campbell circuit court;

An act to amend the charter of the Big Sandy Navigation and Improvement Company;

An act for the benefit of Martin Rice, of Hopkins county;

An act to amend the charter of the Licking and Big Sandy Railroad Company;

An act to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe;

An act for the benefit of Shadrach Combs, sheriff of Letcher county, and his sureties, for the year 1869;

An act to increase the county levy of Cumberland county for county purposes;

An act to authorize the election of town officers for Mackville, Washington county;

An act to incorporate the town of Morses, in Graves county;

An act to amend the charter of the Beargrass Transportation Company;

An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville;"

An act to amend the charter of the city of Louisville;

An act to authorize the county court of Scott county to borrow money to build a jail;

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company," approved February 27th, 1867;

An act for the benefit of Joel W. Sallee;

An act providing for comparing the polls for the election of Representatives to the General Assembly in the counties of Breathitt, Wolfe, and Powell;

An act to except Clark county from the provisions of an act entitled "An act in relation to submitting questions of taxation to a vote of the people;"

An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills;

An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867;

An act to incorporate the Kentucky Baptist Historical Society;

An act incorporating College Street Presbyterian Church of Louisville;

An act to amend the charter of the Elizabethtown and Paducah Railroad Company, approved March 5th, 1867;

An act to extend the corporate limits of the town of Hazelgreen, in Wolfe county;

An act for the benefit of the levy court of Henry county;

An act to provide for the collection of railroad tax in Montgomery county;

An act to authorize Thos. B. McGowan, jailer of Fayette county, to appoint a deputy jailer;

An act to amend the charter of the town of New Castle, Henry county;

An act to amend the charter of the town of Millersburg, in Bourbon county;

An act for the benefit of the judges of the Todd and Harrison county and quarterly courts;

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways," approved February 20th, 1869;

An act concerning the pay of the officers of the Court of Appeals;

An act to amend section 1, chapter 99, of the Revised Statutes;

An act to authorize the trustees of the town of Cloverport to sell and convey parts of certain streets;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the law in relation to county judges, approved February 13, 1858;

An act to amend the charter of the Kentucky Masonic Mutual Life Insurance Company;

An act to amend the charter of the New Castle and Carrollton Turnpike Road, approved 4th February, 1858;

An act in relation to examining courts;

An act for the benefit of the personal representatives of Robert Foster, deceased;

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water works," approved January 26, 1871;

An act to amend an act, entitled "An act in relation to the sale of spirituous and malt liquors in Logan county," approved March 12th, 1870;

Resolutions of thanks to the Democracy of New Hampshire for the victory won in their recent State election, and congratulating the country in consideration thereof;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, MARCH 22, 1871.

A message was received from the House of Representatives, announcing their disagreement to the passage of bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Mrs. Thomas J. Fisher and her daughter, Mollie Gray.

An act for the benefit of the sheriff of Jefferson county

That they had concurred in the amendment proposed by the Senate, to a bill from the House of Representatives, entitled

An act to incorporate the Wayne County Agricultural and Mechanical Society.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Bowling Green and Madisonville Railroad Company.

An act to incorporate the Light's Hill Turnpike Road Company, in Kenton county.

An act for the benefit of John White, of Henry county.

An act to amend an act, entitled "An act in relation to the sale of spirituous, vinous, or malt liquors in Logan county," approved March 12, 1870.

An act to prevent justices of the peace in Kenton county from holding inquests in certain cases.

An act to charter the Boston and Fisherville Turnpike Road Company.

An act for the benefit of the Franklin Library, of Covington.

An act to amend the charter of the town of Murray, in Calloway county.

An act to incorporate the town of Nebo, in Hopkins county.

An act to require the clerk of the Harrison circuit court to index and cross-index certain judgment and order-books in his office.

An act for the better organization of public schools in Elizabethtown, and to establish the common school district of Elizabethtown, in Hardin county.

An act to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company.

An act to authorize the board of trustees of the town of Danville to borrow money to pay off the indebtedness of said town.

An act for the benefit of the police judge of Caseyville, in Union county.

An act to amend the charter of Uniontown.

An act to declare the capital stock in all the railway companies incorporated by the laws of this State personal property.

An act to authorize the stockholders of the Hickman and Obion Railroad Company to elect a new board of directors.

An act to regulate the manner of constructing cattle-guards on railroads in this Commonwealth.

An act to print sheriffs' and master commissioners' advertisements of land sales in Carroll county in paper printed in said county.

An act for the benefit of the trustees of the town of Shelbyville.

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11, 1867.

An act to amend an act, entitled "An act to incorporate the Green River Synod of the Cumberland Presbyterian Church in Kentucky."

An act supplementary to an act, entitled "An act to establish a chancery court in the counties of Campbell, Kenton, Bracken, and Pendleton counties," approved March 20, 1871

An act to amend the charter of the town of Irvine.

An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

An act to provide for the transfer of cases from the McCracken circuit court to the McCracken court of common pleas, in certain cases.

An act to repeal an act, entitled "An act to enable Warren county to construct macadamized and other roads in said county," approved March 9th, 1869.

An act to amend an act, entitled "An act to facilitate the finding of records in the Warren circuit courts," approved February 25th, 1870.

An act to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents," approved February 15th, 1869.

An act to incorporate the Shawneetown, Morganfield, and Sebree Railroad Company.

An act to further define the duties of clerks of circuit, chancery, and county courts of this Commonwealth.

An act to amend subsection 1 of section 614, title 13, article 2, of the Civil Code of Practice.

An act to amend the charter of the Elizabethtown and Tennessee Railroad Company.

An act to provide for the settlement of the accounts of Jordan Clark and Thos. P. Smith, late receivers of the Louisville chancery court.

An act to incorporate the Kentucky and Southern Railroad Company.

With amendments to the last two named bills.

Which were taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company."

An act for the benefit of Knox county.

An act for the benefit of A. C. Kincheloe, of Spencer county.

An act to amend the charter of the Pleasant Hill and Jessamine County Turnpike Road Company.

An act to incorporate the Henderson Fence Company.

An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Farmers' Turnpike Road Company," approved March 3d, 1851.

An act to charter the Middleburg, Knob Lick, and Trace Fork Turnpike Road Company.

An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Claysville, and to levy a tax therefor.

An act to incorporate the Eminence and Smithfield Turnpike Road Company.

An act to further increase the resources of the sinking fund of the city of Louisville.

An act for the benefit of the Southern Stock-yard Company.

An act to incorporate the Peed and Johnson Turnpike Road Company.

An act to amend an act, entitled "An act to authorize the Louisville chancery court, the Jefferson circuit and county courts, to increase the compensation of the surveyor of Jefferson county in certain cases."

An act to amend an act, entitled "An act to incorporate the High Grove and Sayer's Depot Turnpike Road Company."

An act to amend the charter of the town of Carrollton, in Carroll county.

An act for the benefit of school district No. 9, in the county of Hancock.

An act to prevent the destruction of birds in Jefferson county.

An act for the benefit of the Minerva and Beasley's Creek Church Turnpike Road Company, in Mason county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Campbellsville, Kentucky.

An act to incorporate the Barren River Lock and Dam Company.

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and to establish water works," approved January 26, 1871.

An act to amend the charter of the Kentucky Masonic Mutual Life Insurance Company.

An act to amend the charter of the city of Covington.

An act for the benefit of the personal representatives of Robert Foster, deceased.

An act to amend the charter of the New Castle and Carrollton Turnpike Road, approved 4th February, 1858.

An act to amend an act, entitled "An act in relation to the sale of spirituous, vinous, or malt liquors in Logan county," approved March 12, 1870.

Resolution of thanks to the Democracy of New Hampshire for the victory won in their recent State elections, and congratulating the country in consideration thereof.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 22, 1871.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be commissioned as notaries public, viz:

Joseph N. Knott, Marion county.
John W. Allen, Fleming county.
T. R. Hughes, Allen county.
Wm. J. Greif, McCracken county.
John G. Hamilton, Fayette county.
John Burnam, Warren county.
George W. Bryan, Bourbon county.
S. F. Spencer, Green county.
F. L. Cleveland, Bracken county.
Willis P. Bush, Barren county.
Dan'l Hoover, Jessamine county.
Thomas Speed, Jefferson county.
H. R. Hays, Jefferson county.

Very respectfully,

P. H. LESLIE.

Resolved, That the Senate advise and consent to said appointments.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wm. Johnson, from the Committee on Courts of Justice—

A bill supplemental to an act, approved March 14, 1871, entitled "An act amending an act, entitled 'An act incorporating the Bardstown and Bloomfield Turnpike Road Company.'"

By Mr. Whitaker, from a select committee—

A bill concerning the revenue and sinking fund.

By Mr. Cooke, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Louisville, Memphis, and New Orleans Railway Company," approved February 20th, 1870.

By Mr. Dorman, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act for the benefit of the town of Tompkinsville, in Monroe county."

By Mr. Turner, from the Committee on Executive Affairs—

A bill to require the Secretary of State to report pardons and remission of fines and forfeitures to the General Assembly.

By same—

A bill to amend an act for the benefit of McCracken county, to enable her to pay her indebtedness, approved February 17th, 1871.

By Mr. Talbott, from a select committee—

A bill for the benefit of Mrs. Matilda Taylor, of Boyle county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Webb, from the Committee on Agriculture and Manufactures—

An act to amend an act to incorporate the Eagle Petroleum and Mineral Company, approved February 10, 1865.

By Mr. Clarke, from the Committee on Education—

An act to repeal the act creating Urania school district, in Barren county.

By Mr. Chenoweth, from the Committee on Military Affairs—

An act for the benefit of R. T. P. Allen and his securities.

By Mr. Hawes, from the Committee on Religion and Morals--

An act to prohibit the sale of spirituous or vinous liquors in the town of Warsaw, or within four miles thereof, in Gallatin county.

By Mr. Cooke, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

By same—

An act to incorporate the Broadway and Dunkirk Railway Company.

By same—

An act to amend an act, entitled "An act to incorporate the Louisville and Chattanooga Grand Trunk Railroad."

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, with the expression of opinion that said bills ought not to pass, viz

An act to amend the charter of the city of Paducah.

An act to amend an act, entitled "An act to revise, amend, and reduce into one the laws relative to the common schools of Kentucky."

An act to provide for licensing engineers of machinery run by steam in the city of Louisville.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

On motion of Mr. Tyler,

Ordered, That a committee of conference be appointed, to act in conjunction with a similar committee to be appointed on the part of the House of Representatives, to take into consideration the disagreement between the two Houses in relation to an amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to prohibit the carrying of concealed deadly weapons.

Whereupon, Messrs. Tyler and Wm. Johnson were appointed said committee, and were requested to notify the House thereof.

A similar committee was appointed on the part of the House of Representatives.

Mr. Tyler, from the joint committee, made the following report, viz:

The joint committee of the two Houses, appointed to consider the disagreement arising upon the House refusing to concur in an amendment of the Senate, to a House bill to prohibit the carrying of concealed weapons, unanimously report that the Senate amendment should be adhered to.

H. A. TYLER,
WM. JOHNSON,
Senate Committee.

The question was then taken on concurring in the report of the committee, and it was decided in the affirmative.

Mr. Carlisle, from the Committee on the Judiciary, made the following report, viz :

The Committee on the Judiciary, to whom was referred the memorial of C. T. Vennigerholz, asking an investigation of certain charges made against him in a certificate signed by some of the members of the General Assembly, in relation to the means by which an amendment was inserted in the act incorporating the town of Pewee Valley, have had the same under consideration, and the majority of the committee submit the following report :

From statements made before this committee by members of the Committee on Corporate Institutions in the House of Representatives, it appears that the amendment alluded to was presented to that committee by Mr. Vennigerholz at a meeting held on the fourth day of March, 1870; but it does not certainly appear whether it was adopted or rejected by the committee. We think, however, that the most reasonable conclusion to be drawn from all the testimony is, that it was rejected. The amendment was in the handwriting of Mr. Vennigerholz; but it appears that after he had presented it to the committee, and urged its adoption, he retired in order that the committee might consult about the matter, and that he left Frankfort the same afternoon, and did not return during the session. The evidence does not enable us to state certainly when, or by what means, the amendment became a part of the bill; but we are inclined to the opinion that it was the result of an accident or mistake upon the part of some member or officer through whose hands the bill passed. There is nothing to authorize the conclusion that Mr. Vennigerholz was guilty of improper conduct in the matter, or that he ever had the amendment in his possession, or saw it, after he retired from the presence of the committee.

Senator Payne and Representative Duerson, two of the gentlemen who signed one of the certificates complained of, appeared before the committee, and we are satisfied from their statements, and other facts developed before the committee, that they put their signatures to the certificate upon the representations and assurances of other parties in whom they had confidence, and that they were not actuated by any improper motive or desire to do Mr. Vennigerholz injustice.

We know of no further action that we could appropriately take

upon this subject, and therefore ask to be discharged from the further consideration of the memorial.

J. G. CARLISLE,
WILLIAM JOHNSON,
LYTTLETON COOKE,
W. L. CONKLIN.

Which report being received and read, said committee was discharged from the further consideration of said memorial.

Mr. Carlisle, from the Committee on the Judiciary, also reported the following resolution, viz:

Resolved, That the Committee on the Judiciary be, and is hereby, instructed to deposit with the Secretary of State the papers and documents in the hands of said committee relating to the charter of the town of Pewee Valley, and the memorial of C. T. Vennigerholz, and that the Secretary of State safely preserve the same in his office, unless removed in obedience to an order of court.

Which was twice read and adopted.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution rescinding former resolution to adjourn, and fixing another day for final adjournment of this General Assembly.

Which was taken up, twice read, and concurred in.

Mr. Carlisle offered the following resolution, viz:

Resolved, That the use of the Senate Chamber be, and the same is hereby, granted to Capital Lodge of Good Templars, for the purpose of holding one meeting each week, until their lodge-room is completed.

Which was twice read and adopted.

The Senate, according to order, took up for consideration a bill, entitled

A bill to provide for the payment of the State debt.

Said bill reads as follows, viz:

WHEREAS, It appears to the satisfaction of this General Assembly that the assets, consisting of bank stocks, railroad stocks, bonds, &c., held by the Commissioners of the Sinking Fund, are ample and sufficient to liquidate the entire outstanding bonded indebtedness of the State, as also to supply all past and estimated deficits of the revenue proper, and that thereafter the revenue proper would annually receive from different sources an income of $377,000, less interest on school bonds $87,000, that now goes to the Sinking Fund, sufficient to supply the annual deficits of the revenue proper; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth shall, within thirty days, appoint a discreet person, other than a member of the Board

of Commissioners of the Sinking Fund, as an agent to negotiate for and purchase, by and with the consent and approval of the Governor, the outstanding bonded indebtedness of the State maturing after the close of the present fiscal year.

§ 2. That in payment of the purchase price of said bonds so purchased, said agent shall draw on the Commissioners of the Sinking Fund for the amount respectively agreed to be paid therefor, and shall immediately give notice thereof to said Board of Commissioners and the amount so drawn; and thereupon said Commissioners of the Sinking Fund shall immediately provide for the payment of said drafts.

§ 3. That said Board of Commissioners of the Sinking Fund are hereby vested with full power and authority, and are instructed to sell so many of the bonds and stocks owned by the State and held by said Commissioners as may become necessary to make prompt payment of all drafts so drawn by said agent, as herein authorized, said Commissioners being hereby vested with full discretion as to what bonds or stocks they will first sell.

§ 4. That all acts or parts of acts in conflict with this act are hereby repealed.

§ 5. This act to take effect from its passage.

Mr. Tyler moved that said bill be amended by striking out in the 1st section the words "maturing after the close of the present fiscal year."

Which amendment was adopted.

Mr. Tyler then moved, as an amendment to said bill, that the following words be added to the 3d section of said bill, viz:

And are required to ascertnin what reserved funds and accrued dividends are held by the banks of Kentucky and banks of Louisville before making sale of the shares of stock in said banks; and in making sale thereof must guard the State's interest in said reserved funds and accrued dividends.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Spalding and Holt, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	J. H. Dorman,	E. D. Standeford,
A. K. Bradley,	Edwin Hawes,	A. G. Talbott,
R. A. Burton,	J. B. Hayden,	Oscar Turner,

John G. Carlisle, W. H. Payne, H. A. Tyler—14.
John B. Clarke, I. A. Spalding,

Those who voted in the negative, were—

Mr SPEAKER (Holt), A. L. McAfee, Emery Whitaker,
W. McKee Fox, Lewis Perrin, Thos. Wrightson—8.
William Johnson, Ben. J. Webb,

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to amend chapter 83, Revised Statutes, title "Revenue and Taxation."

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section two of article six, chapter eighty-three, of the Revised Statutes, be so amended as to read as follows, to-wit: The assessor and his assistants, before they enter upon the duties of their office, in addition to the oath prescribed in the Constitution, shall also swear that they will diligently search and inquire, so that no person is passed over, or shall fail to have an opportunity to give in a list of his taxable property; and that they will truly report all persons who shall fail and refuse to give in a list of their taxable estate, after being duly called on for that purpose, or who have given in a false or fraudulent list, or refused to give in the amount of their residuary estate as required by law.

§ 2. That section four of said article and chapter be so amended as to read: He may commence the duties of his office on the tenth day of January in each year, and shall complete his list and return his book to the clerk of the county court by the first day of June thereafter; and any assessor failing to return his tax-book to the clerk by that day shall forfeit and pay to the State five dollars for each day he so fails; the same to be deducted and retained by the Auditor from the amount due him for his services.

§ 3. That section seven of said article and chapter be so amended as to read: The county court shall order the clerk thereof to certify to the Auditor the amount due the assessor for his services under this article after he shall have completed and returned his tax-book, and the day of the month on which said tax-book was returned to the clerk; and further, that the assessor and his assistants had, before the judge of the county court, taken an oath that they had administered to every person whose list they had returned the oath prescribed in section five of this act, except when impracticable, and that with all such lists he has returned a note giving the reason why; and the Auditor shall not be authorized to draw his warrant on the Treasury for part of the amount due the assessor until said certificate shall have been received by him. The amount allowed the asssessor shall not exceed fifteen cents for each list of taxable estate, and the same shall be paid by the Treasurer of the State upon the warrant of the Auditor.

§ 4. That section twelve of said article and chapter be so amended as to read: Persons listing their estate with the assessor shall state separately the tracts of land and number of acres in each tract, the value of each, and where situated, giving the water courses and description of title as well as they know; the number of town lots, in what town or city situated, and the value of each; the number of horses, mares, mules, and jennies, and their value; the number of cattle, and their value over fifty dollars; and also all other estate owned by them, or held by them for the use of others, subject to taxation, with the value thereof, on the tenth of January preceding.

§ 5. That section thirteen of said article and chapter be so amended as to read: The assessor, or his assistant, shall administer to every person listing property the following oath before proceeding to list his or her property: "You do swear that the list of taxable estate about to be given in by you will contain a full and complete list, and the best description of the same you can give, of all and every species of property belonging to you, or in your possession, subject to taxation on the tenth of January last; that you will fix thereon a full, fair, and just valuation on that day, and that no removal of property or omission has been made, or any method or device adopted or practiced whereby to evade the payment of taxes by you; and that you will true and perfect answers make to such questions as may be asked you concerning your taxable estate, or that of others in your possession, or the value thereof."

§ 6. That section sixteen of said article and chapter be so amended as to read: The assessor shall enter the property listed with him, and the value thereof, as given by the persons listing the same, in his tax-book, in the order and manner prescribed; and such shall be the valuation unless changed by the board of supervisors in the manner hereinafter prescribed. If, in the opinion of the assessor, there is an error in the list or valuation of any person's estate listed with him, it shall be his duty to note the same on the tax-book, so as to call the attention of the board of supervisors thereto.

§ 7. That section one of article seven of said chapter be so amended as to read: One discreet citizen of the county, to be selected by the Auditor of the State, and two by the county judge, shall constitute a board of supervisors of tax for each county; which board shall be appointed by the first of May next; and they shall continue in office one year, and until their successors are appointed and qualified. In case any of said supervisors shall fail to act, the county judge shall, by order of court, appoint some other suitable person or persons to fill the vacancy. The members of the board, before entering on their duties, shall take an oath faithfully, impartially, and to the best of their ability, to discharge the duties of their office. They shall convene at the county court clerk's office on the first day of June (unless that be Sunday, and then on the following day), and may continue in session six days, if necessary, and shall receive for compensation three dollars per day, to be paid out of the Treasury upon the warrant of the Auditor, to be drawn upon the receipt, by him, of the certificate of their service by the clerk of the county court.

§ 8. That section two of said article and chapter be so amended as to read: It shall be the duty of said board to examine with care the tax-book of each year; to correct any errors, whether of fact or in relation to the valuation of the estate listed; and, in cases where they shall be of opinion that the estate has been incorrectly listed or valued, to correct the list or valuation. But before increasing the valuation of any estate, they shall give to the person listing the same at least one day's notice in writing thereof.

§ 9. That section seven of said article and chapter be so amended as to read: If the assessor shall not return his tax-book by the first day of June, the clerk may receive it from him when returned, and proceed to perform the duties required of him in relation thereto, as though returned in time, and shall notify the members of the board of supervisors, who shall forthwith proceed to perform the duties required of them in relation to said tax-book. The assessor shall, for such failure, be amerced one hundred dollars in addition to the penalty denounced against him in this act; the same to be enforced by indictment by the grand jury and proceedings in the circuit court, as in case of misdemeanors.

§ 10. That section one of article eight of said chapter be so amended as to read: The clerk of the county court, after the examination and approval of the tax-book, shall make two copies thereof—one for the sheriff and the other for the Auditor of the State. He shall test the accuracy of the extensions and additions of said book, make additions of each column and the aggregate amount, and copy on each page the same amount of matter that is on the original book, and no more. He shall deliver the copy to the sheriff on or before the first day of July, and take his receipt therefor; the other copy he shall transmit by mail or otherwise to the Auditor of the State by the first day of July in each year. And any clerk failing to return the tax-book to the Auditor against the first day of July, when the same shall have been returned to him by the assessor in the time prescribed by law, as required by this section, shall, in addition to the penalties now prescribed by law, forfeit and pay to the State five dollars for every day he shall so fail, which shall be deducted and retained by the Auditor from the amount allowed him by law for copying said book. And the said clerk shall transmit to the Auditor the aforesaid receipt of the sheriff for the tax-book against the fifteenth of July, under the same penalties for failure as he is liable for in case of failing to return the tax-book.

§ 11. That section five of article nine of said chapter be so amended as to read: The sheriff, from and after the fifteenth day of July, in each year, shall collect the taxes due in his county; and upon failure by the persons bound therefor to pay the same, may distrain the goods and chattels owned by, or in the rightful possession of, the person from whom the tax is due, notwithstanding the existence of any lien upon the same, and may proceed to sell the title of such person in so much thereof as will pay the tax and all costs and damages that may have accrued, in the mode prescribed by law. He may retain the amount of tax, county levies, and other public dues against individuals, out of any claims allowed them by the Commonwealth or county, not-

withstanding any assignment of the same. Any person owing taxes to the State, who shall fail to pay the same to the sheriff by the first day of April, in each year, shall be required to pay to the sheriff five per cent. damages on the amount of such taxes.

§ 12. That section six of said article and chapter be so amended as to read: The sheriff shall account for and pay into the Treasury one third of all taxes and other public moneys for which he is bound by the first day of December; one third by the first day of February; and the remainder by the first day of April in each year. Upon failure to pay over any of said installments, or any part thereof, the sheriff and his sureties shall be liable therefor, and compelled to pay the amount in arrear, and ten per cent. interest on the same, from the first day of July preceding until paid, and the costs of the suit, besides the twenty per cent. damages imposed in the third section of the twelfth article of said chapter.

§ 13. That section twelve of article nine of said chapter be so amended as to read: If there be no personal estate which the sheriff can distrain for tax due, and the person owning the same shall fail to pay said tax, the sheriff may levy on any real estate belonging to such delinquent tax-payer, and sell a sufficiency thereof, in the same manner that lands are sold under execution, for the payment of such taxes. The owner of such real estate, his representatives, heirs, or assigns, shall have the right to redeem the same from the purchaser thereof, by paying the purchase money with six per cent. (per annum) interest, and twenty per cent. damages thereon, at any time within twelve months from the day of sale; and any minor, married woman, or other person laboring under disability, shall have two years after the removal of the disability in which to make such redemption: *Provided, however*, That the committee or next friend of a person who is *non compos mentis*, shall be allowed only five years from the day of sale, or two years after notice in writing by the purchaser, to redeem the same, though such disability shall continue longer. The notice aforesaid shall be returned by the officer executing it to the clerk of the county court, who shall record the same with the return thereon in a record book to be provided and kept by him, and paid for out of the State Treasury. The clerk shall be allowed a fee of twenty-five cents for recording the said notice and return. Office copies of said record shall be evidence that the notice was given as authorized by this section. Any person whose land may be sold under this section may redeem the same within the time herein prescribed, by tendering the purchase money with interest and damages to the purchaser or his agent, or if he or his agent refuse to accept the same, or resides out of the county, or is absent therefrom, he may pay the amount to the clerk of the county court, and take his receipt for the same. It shall be the duty of the sheriff or any of his successors to convey the interest of the delinquent tax-payer in the real estate sold under this act to the purchaser, after the right of redemption has expired.

§ 14. It shall be the duty of the sheriff to attend two days, at the most public place in each justices' district in his county, between the first day of August and the first day of November, and two days between the first day of November and the first day of January, in each

year, for the purpose of collecting taxes and other public dues; of which attendance he shall give twenty days' previous notice, posted at five or more public places in each district.

§ 15. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 16. This act shall take effect and be in force from and after the first day of June next.

Mr. Spalding moved to amend said bill by striking out the 12th section thereof.

Which amendment was adopted.

Mr. Turner then moved to amend said bill by striking out, in the 4th section, the words "description of title as well as they know," and inserting in lieu thereof the words "general description of the title."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	W. McKee Fox,	A. L. McAfee,
A. K. Bradley,	Edwin Hawes,	Lewis Perrin,
R. A. Burton,	J. B. Hayden,	Oscar Turner—10.
G. W. Connor,		

Those who voted in the negative, were—

Jos. M. Alexander,	J. H. Dorman,	A. G. Talbott,
John G. Carlisle,	William Johnson,	H. A. Tyler,
J. Q. Chenoweth,	W. H. Payne,	Ben. J. Webb,
John B. Clarke,	I. A. Spalding,	Emery Whitaker,
Lyttleton Cooke,	E. D. Standeford,	Thos. Wrightson—15.

Mr. Turner then moved the following amendments, viz:

Strike out in 5th section the words " best description of the same you can give," and insert " general description."

In the 5th section strike out the words "or in your possession."

Amend 8th section by adding, after the word " valuation," "according to the proof."

Amend section 8 by striking out the words "one day," and insert "five days;" and also add to said section " the person so notified shall have the right to introduce witnesses and evidence before said board; and any party aggrieved by the decision of said board shall have the right to appeal from the decision of said board to circuit court of his county; and the question shall be tried in said court as appeals in other cases. Where appeal is prayed, it shall be granted, and the decision certified to said court; and such appeal shall be set down for trial on the first day of the next ensuing term of the circuit court.

Which were severally rejected.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Talbott and Holt, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Lyttleton Cooke,	E. D. Standeford,
A. K. Bradley,	J. H. Dorman,	W. L. Vories,
Jno. G Carlisle,	William Johnson,	Ben. J. Webb,
J. Q. Chenoweth,	W. H. Payne,	Emery Whitaker—14.
John B. Clarke,	I. A. Spalding,	

Those who voted in the negative, were—

Mr. SPEAKER (Holt),	J. B. Hayden,	Oscar Turner,
R. A. Burton,	Lewis Perrin,	H. A. Tyler,
W. McKee Fox,	A. G. Talbott,	Thos. Wrightson—10.
Edwin Hawes,		

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction wtth a similar committee already appointed on their part, to wait upon the Governor and ask the withdrawal of a bill, originating in the House of Representatives, which had passed the two Houses of the General Assembly, entitled

An act for the benefit of E. Kirby Smith.

The question being taken on granting said request, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Holt),	Edwin Hawes,	Oscar Turner,
John B. Clarke,	William Johnson,	H. A. Tyler—8.
J. H. Dorman,	W. H. Payne,	

Those who voted in the negative, were—

R. A. Burton,	Lewis Perrin,	A. C. Vallandingham,
John G. Carlisle,	I. A. Spalding,	W. L. Vories,
J. Q. Chenoweth,	E. D. Standeford,	Ben. J. Webb,
W. McKee Fox,	A. G. Talbott,	Thos. Wrightson—12.

Mr. Chenoweth offered the following resolution, viz:

Resolved, That our thanks are due, and are hereby tendered, to the officers of the Senate—to the Speaker for his impartial, just, and dig-

nified presidency—and to the other officers for the faithful discharge of their several duties.

Which was adopted.

The Senate took up for consideration a bill, entitled

A bill to increase the jurisdiction of the police judge of Louisa, in Lawrence county, and to regulate the terms of his court.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

Mr. Connor, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869;

An act for the benefit of common school district No. 2, in Montgomery county;

An act to amend an act to regulate the sale of spirituous liquors to minors;

An act to incorporate the district of Hayfield, in Campbell county;

An act to charter a steam ferry company at the mouth of the Ohio river;

An act for the benefit of the estate of Young E. Hurt, late sheriff of Adair county;

An act to prevent the sale of spirituous liquors in Bewleyville on the Sabbath day;

An act for the benefit of Thomas Posey, of Henderson county;

An act for the benefit of school district No. 34, in Kenton county;

An act for the benefit of the jailer of Jefferson county;

An act to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes, in this State," approved March 21, 1870, and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866;

An act to authorize the county court of Henry county to publish its proceedings in the county paper;

An act to relieve the directors and officers of the Louisville Water-works Company from service as grand and petit jurors in the county of Jefferson;

An act concerning the revenues due from Wayne county for the year 1863;

An act to incorporate the Wayne County Agricultural and Mechanical Society;

An act to incorporate the Hebrew Adath Israel congregation of the city of Owensboro;

An act for the benefit of M. H. Bronaugh, of Christian county;

An act to regulate the selling of vinous, malt, or other intoxicating liquors within Elk creek precinct, in Spencer county;

An act to authorize William Green, of Elliott county, to erect a mill-dam across Little Sandy river;

An act for the benefit of the Pendleton Academy;

An act for the benefit of the Bourbon County Agricultural Society;

An act to restrict the granting of license to sell spirituous, vinous, or malt liquors, and the sale thereof, in the town of Litchfield, or within one mile of the court-house therein;

An act for the benefit of Moore Pickle (colored);

An act to incorporate the Rough and Ready and Camdensville Turnpike Road Company;

An act to amend an act, entitled "An act incorporating the town of Lawrenceburg;"

An act to incorporate the Glasgow, Tompkinsville, and Cumberland River Turnpike Road Company;

An act to amend an act to incorporate the Kentucky River Turnpike Road Company;

An act to amend the charter of the New Castle and Kentucky River Turnpike Road Company;

An act relating to the office of school commissioner of the city of Louisville;

An act to amend an act incorporating the Lagrange and Shelbyville Turnpike Road Company;

An act authorizing sheriffs, administrators, &c., of Simpson county, to give notice of sales as such in the newspaper published in said county;

An act to authorize Edward Hopper to qualify, execute bond, and act as executor of the last will and testament of Seymour Hopper, deceased.

An act for the benefit of John W. Duncan, sheriff of Wayne county;

An act for the benefit of William Quillin, of Letcher county;

An act to amend an act, entitled "An act to amend the charter of the Louisville and Salt River Turnpike Road Company," approved February 17, 1871;

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Middleburg, in Casey county;

An act to prohibit the carrying of concealed deadly weapons;

An act to repeal section second of an act to amend the charter of Princeton College;

An act for the benefit of H. W. Conway, of Nicholas county;

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county;

An act to change the time of payment of the revenue into the State Treasury, and amend the revenue laws;

An act to expedite the collection of the war claim of the State of Kentucky;

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow railroad depot, outside the corporate limits of the town of Glasgow;

An act to repeal the act creating Urania school district, in Barren county;

An act to incorporate the Farmers' Bank of Webster;

An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown district, No. 4, in Clark county;

Resolution rescinding former resolution to adjourn, and fixing another day for final adjournment of this General Assembly;

An act for the benefit of school district No. 7, of Henry county;

An act to incorporate the Eminence Agricultural and Mechanical Association;

An act for the benefit of R. T. P. Allen and his securities;

An act to amend an act to incorporate the Eagle Petroleum and Mineral Company, approved February 10, 1865;

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company;"

An act for the benefit of school district No. 49, in Monroe county;

An act for the benefit of W. H. Stanley;

An act establishing the Orphans' School of Daughters College;

An act to incorporate the Leesburg and Clay's Cross Road Turnpike Company;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the charter of Uniontown;

An act for the benefit of the Franklin Library, of Covington;

An act to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company;

An act to incorporate the Bowling Green and Madisonville Railroad Company;

An act to require the clerk of the Harrison circuit court to index and cross-index certain judgment and order-books in his office;

An act to incorporate the Ashbottom Turnpike Road Company;

An act to amend the charter of the town of Murray, in Calloway county;

An act to authorize the board of trustees of the town of Danville to borrow money to pay off the indebtedness of said town;

An act to prevent justices of the peace in Kenton county from holding inquests in certain cases;

An act to amend the charter of the Hartford Railroad and Mining Company;

An act to charter the Boston and Fisherville Turnpike Road Company;

An act to declare the capital stock in all the railway companies incorporated by the laws of this State personal property;

An act for the better organization of public schools in Elizabethtown, and to establish the common school district of Elizabethtown, in Hardin county;

An act to incorporate the town of Nebo, in Hopkins county;

An act for the benefit of the police judge of Caseyville, in Union county;

An act to incorporate the Light's Hill Turnpike Road Company, in Kenton county;

An act for the benefit of John White, of Henry county;

An act to authorize the stockholders of the Hickman and Obion Railroad Company to elect a new board of directors;

An act to regulate the manner of constructing cattle-guards on railroads in this Commonwealth;

An act to print sheriffs' and master commissioners' advertisements of land sales in Carroll county in paper printed in said county;

An act for the benefit of the trustees of the town of Shelbyville.

An act to amend the charter of the town of Irvine;

An act to repeal an act, entitled "An act to enable Warren county to construct macadamized and other roads in said county," approved March 9th, 1869;

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11, 1867;

An act supplemental to an act, approved March 14, 1871, entitled "An act amending an act, entitled 'An act incorporating the Bardstown and Bloomfield Turnpike Road Company;'"

An act concerning the revenue and sinking fund;

An act for the benefit of J. C. Calhoun, sheriff of McCracken county;

An act to amend an act, entitled "An act to incorporate the Green River Synod of the Cumberland Presbyterian Church in Kentucky;"

An act to provide for the transfer of cases from the McCracken circuit court to the McCracken court of common pleas, in certain cases;

An act supplementary to an act, entitled "An act to establish a chancery court in the counties of Campbell, Kenton, Bracken, and Pendleton counties," approved March 20, 1871;

Resolution to print and distribute, in pamphlet form, the general laws passed at the present session of the General Assembly;

An act to provide for the settlement of the accounts of Jordan Clark and Thos. P. Smith, late receiver of the Louisville chancery court;

An act to amend an act, entitled "An act for the benefit of the town of Tompkinsville, in Monroe county;"

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Connor reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, MARCH 23, 1871.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Richmond and Big Hill Turnpike Road Company.

An act authorizing the county court of the county of Muhlenburg to release James C. Moorman from his bond, whereby a negro girl, Caroline, was apprenticed to him.

An act to repeal section 6 of an act, entitled "An act to amend the charter of the Ashland and Catlettsburg Turnpike," approved February 3, 1871.

An act to authorize the county court of Scott county to increase its subscriptions to turnpike roads.

An act to incorporate the New Castle and Bethlehem Turnpike Road Company.

An act for the benefit of Park's Ferry and Carlisle Turnpike Road Company.

An act to mark and define the boundary line between the counties of Muhlenburg and McLean.

An act for the benefit of John M. Fish, of Rockcastle county.

An act to incorporate the New Haven and Howard's Mill Turnpike Road Company.

An act appropriating certain lands to the county of Pendleton.

An act for the benefit of toll-gate keeper in Josh Bell county.

An act to authorize John B. Goff to erect a boom across Big creek, in Martin county.

An act to declare John's creek, in Floyd, Johnson, and Pike counties, a navigable stream.

An act to charter the Lagrange and Brownsboro Turnpike Company.

An act to prohibit the sale of intoxicating liquors in the county of Bullitt.

An act for the benefit of John E. Walton, of Boone county.

An act for the benefit of Pope & Camp, of Louisville.

An act authorizing Washington county court to levy an *ad valorem* tax of not exceeding twenty cents on the one hundred dollars to pay the indebtedness of the county on account of turnpike roads.

An act to incorporate the Falls City Tobacco Manufacturing Company.

An act to incorporate the Greenup and Boyd County Turnpike Road Company.

An act to incorporate the Athens and Walnut Hill Turnpike Company.

An act for the benefit of the Kentucky River Turnpike Road Company.

An act for the benefit of Martin Rice, of Hopkins county.

An act to incorporate the Glasgow Cemetery Company.

An act to amend an act, entitled "An act for the benefit of the county of Morgan," approved January 17, 1867.

An act to amend an act, entitled "An act to charter the Louisville Naphthaline Steel Manufacturing Company."

An act appointing commissioners to settle with the county judges of the counties of Knox and Josh Bell, in relation to the tolls received by them from gate-keepers on the Wilderness Turnpike Road.

An act to create and regulate the office of county treasurer of Floyd county.

An act to charter the Springfield and Chaplain Turnpike Road Company.

An act for the benefit of the Logan Female College.

An act to amend an act, entitled "An act to create a special road law for the county of Pendleton."

An act to incorporate the Perryville and Old Mackville Turnpike Road Company, in Boyle and Mercer counties.

An act to authorize the county judge of Mason to vote certain stock in the Maysville and Lexington Railroad, Northern Division, at the next annual election for directors.

An act for the benefit of the Paris and Winchester Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Spring Station Turnpike Road Company."

An act to amend an act, entitled "An act to incorporate the Cynthiana and Millersburg Turnpike Road Company."

An act for the benefit of the Covington and DeCourcey Creek Turnpike Road Company.

An act for the benefit of the Bridgeport and Farmdale Turnpike Road Company.

An act to amend the charter of the Kentucky Real Estate and Building Company.

An act to amend an act to incorporate the Lancaster, Fall Lick, and Mount Vernon Turnpike Company.

An act for the benefit of Washington county.

An act to authorize the Elliott county court to issue bonds to raise a fund for the erection of the public buildings of said county.

An act to legalize certain acts of the Pendleton county court.

An act authorizing the county court of Washington county to construct a bridge across the Little Beech in said county, and to provide for the payment of same.

An act to amend an act, entitled "An act to amend an act to authorize the Pendleton county court to raise money to build bridges, &c."

An act to authorize the condemnation of land for cemetery purposes in Pendleton county.

An act to incorporate the Kentucky River Salt Manufacturing Company, in Perry county.

An act authorizing the judge of the Spencer county court to appoint trustees for the town of Taylorsville, when vacancies occur.

An act for the benefit of Nelson Whitaker, of Mason county.

An act for the benefit of Wm. D. Dye, of Lincoln county.

An act fixing the rate of freight and tolls on the North Middletown and Mount Sterling Turnpike Road.

An act to regulate the sale of liquors in the town of Camner, Hart county, and within one mile thereof.

An act to incorporate the Frenchburg and Owingsville Turnpike Road Company.

An act to authorize the Anderson county court to levy a tax to build bridges, and for other purposes.

An act to amend the charter of the city of Louisville.

An act to amend the charter of the Licking and Big Sandy Railroad Company.

An act to authorize the county court of Scott county to borrow money to build a jail.

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company," approved February 27th, 1867.

An act to increase the county levy of Cumberland county for county purposes.

An act for the benefit of Shadrach Combs, sheriff of Letcher county, and his sureties, for the year 1869.

An act to authorize the election of town officers for Mackville, Washington county.

An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville."

An act incorporating College Street Presbyterian Church of Louisville.

An act to amend section 1, chapter 99, of the Revised Statutes.

An act to except Clark county from the provisions of an act entitled "An act in relation to submitting questions of taxation to a vote of the people."

An act providing for comparing the polls for the election of Representatives to the General Assembly in the counties of Breathitt Wolfe, and Powell.

An act to authorize the trustees of the town of Cloverport to sell and convey parts of certain streets.

An act to amend the charter of the Elizabethtown and Paducah Railroad Company, approved March 5th, 1867.

An act to extend the corporate limits of the town of Hazelgreen, in Wolfe county.

An act to amend the charter of the town of New Castle, Henry county.

An act to provide for the collection of railroad tax in Montgomery county.

An act to amend an act, entitled "An act for the benefit of late clerks, sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

An act concerning the pay of the officers of the Court of Appeals.

An act to amend an act, entitled "An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways," approved February 20th, 1869.

An act to amend the charter of the town of Millersburg, in Bourbon county.

An act authorizing the county court of Spencer county to levy a tax in aid of turnpikes.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act to amend the charter of the Big Sandy Navigation and Improvement Company.

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Calhoon, or within two miles thereof," approved March 21st, 1870.

An act to incorporate the town of Morses, in Graves county.

An act to secure the execution of the penal laws of the State in the counties of Clinton, Cumberland, and Monroe.

An act to amend the charter of the Beargrass Transportation Company.

An act to incorporate the Kentucky Baptist Historical Society.

An act for the benefit of A. W. Nickell, sheriff of Johnson county, and his sureties, for the year 1867.

An act for the benefit of the levy court of Henry county.

Mr. Chenoweth, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville and Chattanooga Grand Trunk Railroad;"

An act to prohibit the sale of spirituous or vinous liquors in the town of Warsaw, or within four miles thereof, in Gallatin county;

An act to incorporate the Broadway and Dunkirk Railway Company;

An act to incorporate the Paris, Georgetown, and Frankfort Railroad Company;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend subsection 1 of section 614, title 13, article 2, of the Civil Code of Practice.

An act to incorporate the Shawneetown, Morganfield, and Sebree Railroad Company;

An act to amend the charter of the Elizabethtown and Tennessee Railroad Company;

An act to incorporate the Kentucky and Southern Railroad Company;

An act to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents," approved February 15th, 1869.

An act to provide for the payment of the State debt;

An act to further define the duties of clerks of circuit, chancery, and county courts of this Commonwealth;

An act to amend an act, entitled "An act to facilitate the finding of records in the Warren circuit courts," approved February 25th, 1870;

An act to amend an act, entitled "An act to amend an act to allow the citizens of Henry county to vote a tax in aid of turnpike companies of said county;"

An act to amend an act, entitled "An act to incorporate the Louisville, Memphis, and New Orleans Railway Company," approved February 20th, 1870;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Chenoweth reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act transferring portions of the Elizabethtown and Bell's Tavern Turnpike Road to the counties of Hardin, Hart, and Barren," approved December 23d, 1861.

An act for the benefit of Hermon V. Cothes, of Ballard county.

An act for the benefit of John L. Ross, of Ballard county.

An act for the benefit of John W. Robinson, of Hickman county.

An act to prohibit the sale of spirituous or vinous liquors in the town of Warsaw, and within four miles thereof, in Gallatin county.

An act to amend an act, entitled "An act to establish a State House of Reform for Juvenile Delinquents."

An act to amend an act, entitled "An act to incorporate the Louisville and Chattanooga Grand Trunk Railroad."

An act to incorporate the Broadway and Dunkirk Railway Company.

An act to incorporate the Paris, Georgetown, and Frankfort Railroad Company.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Milledgeville, in Lincoln county.

An act to amend an act, entitled "An act to facilitate the finding of records in the Warren circuit court," approved February 25, 1870.

An act to amend an act, entitled "An act to amend an act to allow the citizens of Henry county to vote a tax in aid of turnpike companies."

An act to amend subsection 1, of section 614, title 13, article 2, of the Civil Code of Practice.

An act further to define the duties of clerks of circuit, chancery, and county courts of this Commonwealth.

An act to provide for the payment of the State debt.

An act to amend the charter of the Elizabethtown and Tennessee Railroad Company.

An act to incorporate the Shawneetown, Morganfield, and Sebree Railroad Company.

An act to incorporate the Kentucky and Southern Railroad Company.

An act to amend an act, entitled "An act to incorporate the Louisville, Memphis, and New Orleans Railway Company."

An act for the benefit of the Franklin Library, of Covington.

An act to require the clerk of the Harrison circuit court to index and cross-index certain judgment and order-books in his office.

An act to amend the charter of Uniontown.

An act to authorize the board of trustees of the town of Danville to borrow money to pay off the indebtedness of said town.

An act to incorporate the Bowling Green, Glasgow, and Greensburg Railroad Company.

An act to amend the charter of the town of Murray, in Calloway county.

An act to incorporate the Bowling Green and Madisonville Railroad Company.

An act to incorporate the Ashbottom Turnpike Road Company.

An act to incorporate the town of Nebo, in Hopkins county.

An act to amend the charter of the Hartford Railroad and Mining Company.

An act for the benefit of John White, of Henry county.

An act to declare the capital stock in all the railway companies, incorporated by the laws of this State, personal property.

An act to prevent justices of the peace, in Kenton county, from holding inquests in certain cases.

An act for the benefit of the police judge of Caseyville, in Union county.

An act to charter the Boston and Fisherville Turnpike Road Company.

An act to incorporate the Light's Hill Turnpike Road Company, in Kenton county.

An act for the better organization of public schools in Elizabethtown, and to establish the common school district of Elizabethtown, in Hardin county.

An act in relation to examining courts.

An act for the benefit of the trustees of the town of Shelbyville.

An act to amend the charter of the town of Irvine.

An act to repeal an act, entitled "An act to enable Warren county to construct macadamized and other roads in said county," approved March 9, 1868.

An act to print sheriffs and master commissioners' advertisements of land sales in Carroll county, in paper printed in said county.

An act to regulate the manner of constructing cattle-guards on railroads in this Commonwealth.

An act to authorize the stockholders of the Hickman and Obion Railroad Company to elect a new board of directors.

An act supplementary to an act, approved March 14, 1871, entitled "An act amending an act incorporating the Bardstown and Bloomfield Turnpike Road Company.

An act concerning the revenue and sinking fund.

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company," approved March 11th, 1867.

An act to incorporate the Green River Synod of the Cumberland Presbyterian Church in Kentucky.

An act to provide for the transfer of cases from the McCracken circuit court to the McCracken common pleas court in certain cases.

An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

An act supplemental to an act, entitled "An act to establish a chancery court in the counties of Campbell, Kenton, Bracken, and Pendleton counties," approved March 20, 1871.

An act to amend an act, entitled "An act for the benefit of the town of Tompkinsville, in Monroe county."

An act to provide for the settlement of the accounts of Jordan Clark and Thomas P. Smith, late receiver of the Louisville chancery court.

An act to amend the charter of the city of Hickman.

An act to amend the law in relation to county judges, approved February 13, 1858.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to authorize Thos. B. McGowan, jailer of Fayette county, to appoint a deputy jailer.

An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors.

An act for the benefit of the estate of Young E. Hurt, late sheriff of Adair county.

An act to prevent the sale of spirituous liquors in Bewleyville on the Sabbath day.

An act for the benefit of school district No. 34, in Kenton county.

An act for the benefit of Thomas Posey, of Henderson county.

An act for the benefit of common school district No. 2, in Montgomery county.

An act to charter a steam ferry company at the mouth of the Ohio river.

An act to amend an act, entitled "An act to incorporate the Henderson German School Association," approved February 5, 1869.

An act to authorize the county court of Henry county to publish its proceedings in the county paper.

An act for the benefit of the jailer of Jefferson county.

An act to repeal an act, entitled "An act granting premiums on the scalps of wolves, wild cats, and red foxes, in this State," approved March 21, 1870, and an act, entitled "An act granting premiums on red and grey foxes, wolves and wild cats' scalps in this State," approved February 17, 1866.

An act to relieve the directors and officers of the Louisville Water-works Company from service as grand and petit jurors in the county of Jefferson.

An act concerning the revenues due from Wayne county for the year 1863.

An act to incorporate the Glasgow, Tompkinsville, and Cumberland River Turnpike Road Company.

An act for the benefit of William Quillin, of Letcher county.

An act to restrict the granting of license to sell spirituous, vinous, or malt liquors, and the sale thereof, in the town of Litchfield, or within one mile of the court-house therein.

An act authorizing sheriffs, administrators, &c., of Simpson county, to give notice of sales as such in the newspaper published in said county.

An act for the benefit of the Bourbon County Agricultural Society.

An act to amend an act incorporating the Lagrange and Shelbyville Turnpike Road Company.

An act for the benefit of M. H. Bronaugh, of Christian county.

An act to amend an act, entitled "An act to amend the charter of the Louisville and Salt River Turnpike Road Company," approved February 17, 1871.

An act to amend an act, entitled "An act incorporating the town of Lawrenceburg."

An act for the benefit of Moore Pickle (colored).

An act to amend an act to incorporate the Kentucky River Turnpike Road Company.

An act to amend the charter of the New Castle and Kentucky River Turnpike Road Company.

An act relating to the office of school commissioner of the city of Louisville.

An act to authorize William Green, of Elliott county, to erect a mill-dam across Little Sandy river.

An act for the benefit of the Pendleton Academy.

An act to incorporate the Wayne County Agricultural and Mechanical Society.

An act to incorporate the Rough and Ready and Camdensville Turnpike Road Company.

An act to regulate the selling of vinous, malt, or other intoxicating liquors within Elk creek precinct, in Spencer county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in the town of Middleburg, in Casey county.

An act to authorize Edward Hopper to qualify, execute bond, and act as executor of the last will and testament of Seymour Hopper, deceased.

An act to incorporate the Hebrew Adath Israel congregation of the city of Owensboro.

An act for the benefit of John W. Duncan, sheriff of Wayne county.

An act to repeal the act creating Urania school district, in Barren county.

An act to prevent the selling of spirituous, vinous, or malt liquors in Germantown district, No. 4, in Clark county.

An act to repeal section second of an act to amend the charter of Princeton College.

An act to expedite the collection of the war claim of the State of Kentucky.

An act to prohibit the carrying of concealed deadly weapons.

An act to prevent the sale of spirituous, vinous, or malt liquors in the town of DeMossville, in Pendleton county.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of the Glasgow railroad depot, outside the corporate limits of the town of Glasgow.

An act to incorporate the Farmers' Bank of Webster.

An act to incorporate the Eminence Agricultural and Mechanical Association.

An act to change the time of payment of the revenue into the State Treasury, and amend the revenue laws.

An act to amend the charter of the town of Midway.

An act to incorporate the Campbell County Kentucky Bank.

An act for the benefit of the judges of the Todd and Harrison county and quarterly courts.

An act for the benefit of Benj. D. Beall, clerk of the Campbell circuit court.

An act to protect owners of land in Carroll, Hardin, and Gallatin counties, from trespasses.

An act to amend an act, entitled "An act to incorporate the town of Pleasureville, in Henry county."

An act for the benefit of school district No. 7, of Henry county.

An act for the benefit of W. H. Stanley.

An act for the benefit of school district No. 49, in Monroe county.

An act to incorporate the Leesburg and Clay's Cross Road Turnpike Company.

An act to amend an act to incorporate the Eagle Petroleum and Mineral Company, approved February 10, 1865.

An act for the benefit of R. T. P. Allen and his securities.

An act to amend an act, entitled "An act to incorporate the Louisville, Harrod's Creek, and Westport Railway Company."

An act establishing the Orphans' School of Daughters' College.

Resolution rescinding former resolution to adjourn, and fixing another day for final adjournment of this General Assembly.

Resolution to print and distribute, in pamphlet form, the general laws passed at the present session of the General Assembly.

A message was received from the House of Representatives, announcing that they had closed their legislative business, and had appointed a committee to wait upon the Governor to know whether he had any further communication to make to them.

Messrs. Spalding, Hawes, and Turner were appointed a committee on the part of the Senate, to communicate to the House of Representatives that the Senate had concluded its legislative business, and to unite with the committee appointed on the part of the House of Representatives to wait upon the Governor.

The committee appointed to wait upon the Governor reported that the Governor requested them to inform the Senate that he had no further communication to make.

On motion of Mr. Turner, the Speaker declared the Senate adjourned *sine die*.

LIST OF SENATORS AND OFFICERS,

Showing Term, County, District represented, Occupation, and Post-office Address.

DIST.	TERM.	NAME.	POST-OFFICE.	COUNTY.	OCCUPATION.
11th	2 years	P. H. Leslie, Speaker	Glasgow	Barren	Lawyer.
30th	2 years	Joseph M. Alexander	Flemingsburg	Fleming	Lawyer.
6th	2 years	F. M. Allison	Greenville	Muhlenburg	Lawyer.
38th	2 years	Robert Boyd	London	Laurel	Lawyer.
4th	2 years	A. K. Bradley	Madisonville	Hopkins	Lawyer.
15th	4 years	R. A. Burton	Lebanon	Marion	Farmer.
24th	4 years	J. G. Carlisle	Covington	Kenton	Lawyer.
19th	4 years	W. H. Chelf	Greensburg	Green	Lawyer.
20th	4 years	J. Q. Chenoweth	Harrodsburg	Mercer	Lawyer.
26th	2 years	John B. Clarke	Augusta	Bracken	Lawyer.
29th	4 years	Harrison Cockrill	Irvine	Estill	Farmer.
9th	4 years	Wm. L. Conklin	Litchfield	Grayson	Lawyer.
28th	4 years	G. W. Connor	Owingsville	Bath	Merchant.
37th	2 years	Lyttleton Cooke	Louisville	Jefferson	Lawyer.
23d	4 years	J. H. Dorman	Owenton	Owen	Lawyer.
17th	4 years	W. McKee Fox	Somerset	Pulaski	Lawyer.
34th	2 years	Joseph Gardner	Salyersville	Magoffin	Lawyer.
7th	4 years	Edwin Hawes	Yelvington	Daviess	Farmer.
10th	4 years	J. B. Haydon	Elizabethtown	Hardin	Farmer.
3d	2 years	G. A. C. Holt	Murray	Calloway	Lawyer.
14th	2 years	Wm. Johnson	Bardstown	Nelson	Lawyer.
8th	4 years	John W. Johnson	Calhoon	McLean	Merchant.
33d	2 years	D. Y. Lyttle	Manchester	Clay	Lawyer.
27th	4 years	A. L. McAfee	Nicholasville	Jessamine	Lawyer.
13th	2 years	W. H. Payne	Bowling Green	Warren	Lawyer.
22d	2 years	Lewis Perrin	Cynthiana	Harrison	Lawyer.
32d	4 years	K. F. Prichard	Louisa	Lawrence	Lawyer.
5th	2 years	I. A. Spalding	Morganfield	Union	Farmer and Lawyer.
35th	2 years	E. D. Standeford	Louisville	Jefferson	Farmer.
18th	4 years	A. G. Talbott	Danville	Boyle	Farmer.

LIST OF SENATORS AND OFFICERS—Continued.

DIST.	TERM.	NAME.	POST-OFFICE.	COUNTY.	OCCUPATION.
2d	2 years	Oscar Turner	Blandville	Ballard	Lawyer.
1st	2 years	H. A. Tyler	Hickman	Fulton	Lawyer.
12th	2 years	A. C. Vallandingham	Franklin	Simpson	Lawyer.
21st	4 years	W. L. Vories	Smithfield	Henry	Farmer.
36th	2 years	Ben. J. Webb	Louisville	Jefferson	Merchant.
31st	4 years	Emery Whitaker	Maysville	Mason	Lawyer.
16th	2 years	I. C. Winfrey	Columbia	Adair	Farmer.
25th	4 years	Thomas Wrightson	Newport	Campbell	Printer.
------	----------	J. R. Hawkins, Clerk	Frankfort	Franklin	Physician.
------	----------	J. A. Munday, Assistant Clerk	Hawesville	Hancock	Lawyer.
------	----------	J. A. Grant, Sergeant-at-Arms	Frankfort	Franklin	Clerk.
------	----------	Joseph Reed, Door-keeper	Louisville	Jefferson	Lawyer.
------	----------	I. Wingate, Cl'k Enrol'g Com.	----------	Franklin	Clerk.

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